



AGENDA

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

February 21, 2023

REGULAR MEETING – 6:00 PM

City Council Study Sessions

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

City Council Meetings

Special Presentations – 5:30 P.M.

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

City Council Closed Sessions

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

City Hall Council Chamber – 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the ADA Coordinator, at 951.413.3350 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.

Ulises Cabrera, Mayor

Edward A. Delgado, Mayor Pro Tem

David Marquez, Council Member

Cheylynda Barnard, Council Member

Elena Baca-Santa Cruz, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
February 21, 2023

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

Moreno Valley Unified School District, Science Technology Engineering Arts
Mathematics Academy Recognition.

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

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

**REGULAR MEETING – 6:00 PM
FEBRUARY 21, 2023**

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 Gabriel, Moreno Valley Christian Assembly

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Each speaker will be allowed a total of three minutes to comment on any and all items which are not on the agenda which are within the subject matter jurisdiction of the city council.

PUBLIC COMMENTS ON MATTERS ON THE AGENDA

If you wish to speak on any items on the consent calendar, you will have a total of three minutes to comment on all items on the consent calendar.

CITY COUNCIL OPENING COMMENTS

JOINT CONSENT CALENDARS (SECTIONS A-E)

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

A. CONSENT CALENDAR-CITY COUNCIL

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

Recommendation: Waive reading of all Ordinances.

- A.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEBRUARY 7, 2023 4:30 PM

Recommendation:

1. Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023 6:00 PM

Recommendation:

1. Approve as submitted.

- A.4. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2022/2023 FROM 1. July 1, 2022, through January 31, 2023. (Report of: City Clerk)

Recommendation:

1. Receive and file the Fiscal Year 2022/2023 Council Discretionary Expenditure Report for July 1, 2022, through January 31, 2023.

- A.5. ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD (Report of: Community Development)

Recommendations:

1. Accept the Fiscal Year 2022 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program award of \$56,476 administered through the Riverside County Sheriff's Department;

2. Authorize the City Manager, or his designee, to execute for and on behalf of the City of Moreno Valley, agreements and other related documents including any amendments required by the Bureau of Justice Assistance for participation in the Edward Byrne Memorial Justice Assistance Grant Program, subject to the approval of the City Attorney; and
 3. Authorize the Chief Financial Officer, or his designee, to make any necessary budget adjustments as recommended in the Fiscal Impact section of this report.
- A.6. APPROVAL OF FIRST AMENDMENT TO AGREEMENT WITH CIVIC SOLUTIONS, INC., FOR PLANNING CONSULTANT SERVICES ON AN AS NEEDED BASIS (AGMT NO. 2022-72-01) (Report of: Community Development)

Recommendations:

1. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with Civic Solutions, Inc., and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, and Purchase Orders, subject to the approval of the City Attorney, in accordance with approved terms of the agreement and within available budget as previously approved by Council;
 2. Authorize an increase of \$500,000.00 to the not-to-exceed amount of the Agreement with Civic Solutions, Inc., to \$550,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-507 to Civic Solutions, Inc.; and
 3. Authorize the Chief Financial Officer, or his designee, to make the appropriate budget adjustments as set forth in the Fiscal Impact section of this report.
- A.7. COLLEGE PROMISE MEMORANDUM OF UNDERSTANDING (Report of: Economic Development)

Recommendations:

1. Approve the Memorandum of Understanding (MOU) between the City of Moreno Valley (City) and the Riverside Community College District Foundation acting on behalf of Moreno Valley College (College) allowing for the allocation of \$100,000 to support the College Promise Initiative for two academic years.
2. Authorize the City Manager to execute the MOU as to form and all necessary documents with the College.

A.8. MARCH JOINT POWERS AUTHORITY SUNSETTING AGREEMENTS
(Report of: Economic Development)

Recommendations: That the City Council:

1. Authorize the execution of the Fourteenth Amendment to the Joint Powers Agreement among the Member Agencies (“Fourteenth Amendment”) relating to March Joint Powers Authority (“Authority”) in substantial conformance to the form attached herewith as Exhibit A;
2. Authorize the execution of a Tax and Revenue Sharing Agreement (“Agreement”) among the Cities of Moreno Valley, Perris, and Riverside (“Cities”) and the County of Riverside (“County”) (collectively known as “Member Agencies”) in substantial conformance to the form attached herewith as Exhibit B; and
3. Authorize the City Manager to execute subsequent amendments to effectuate said agreements.

A.9. AUTHORIZE THE PURCHASE OF AN ELECTRIC CARGO VAN FOR THE SOLID WASTE PROGRAM (Report of: Financial & Management Services)

Recommendations:

1. Authorize the purchase of a 2022/2023 Electric Cargo Van to support the Solid Waste & Recycling program.
2. Authorized the Purchasing & Sustainability Division Manager to issue a Purchase Order to a vendor that has an Electric Cargo Van for sale that meets the needed specifications for \$75,000 plus sales tax, shipping, and modifications.
3. Authorize the City Manager or designee to execute the sales agreement and any needed amendments with the selected vendor that has an Electric Cargo Van, with required specifications, available for sale.
4. Authorize the use of the sole source procurement process since inventory and manufacturers Electric Cargo Van’s are extremely limited.

A.10. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2022 (Report of: Financial & Management Services)

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2022, in compliance with the City’s Investment Policy.

- A.11. ADOPT RESOLUTION NO. 2023-XX DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE DOCUMENTS FOR THE CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CaVIP) GRANT PROGRAM (Report of: Financial & Management Services)

Recommendations:

1. Adopt Resolution No. 2023-XX, a Resolution of the City Council of the City of Moreno Valley, California, designating and authorizing City Manager, City Attorney and Chief Financial Officer to execute applications and documents for the purposes of obtaining and managing California Violence intervention and Prevention (CaVIP) Grant Program Funds awarded through The Board of State and Community Corrections (BSCC).

- A.12. FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET AMENDMENTS (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2022/23 Mid-Year Budget Review.
2. Adopt Resolution No. 2023-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for fiscal year 2022/23.
3. Approve the City Position Summary.
4. Approve the Salary Schedules effective February 22, 2023.

Recommendations: That the CSD:

1. Adopt Resolution No. CSD 2023-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2022/23.

Recommendation: That the HA:

1. Adopt Resolution No. HA 2023-XX. A resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, adopting the revised operating and capital budget for Fiscal Year 2022/23.

- A.13. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NOS. 74 AND 75 (RESO. NOS. 2023- __ AND 2023-__) (Report of: Financial & Management Services)

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2022-___, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said District (Amendment No. 74) (D.R. Horton Los Angeles Holding Company, Inc., located near the northeast corner of Alessandro Blvd. and Lasselle St.)
2. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2022-___, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said District (Amendment No. 75) (Hakan Buwan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.)

- A.14. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

- A.15. APPROVE THE AGREEMENT WITH MARKS ARCHITECTS, INC. FOR THE CITY HALL ELEVATOR MODERNIZATION PROJECT 803 0059 AND BUDGET APPROPRIATION (Report of: Public Works)

Recommendations:

1. Approve the agreement with Marks Architects Inc., for a total not-to-exceed amount of \$152,200 for the preparation of scope and fee documents in relation to the City Hall Elevator Modernization project 803 0059; and authorize the City Manager to execute the agreement using fund 3000 Facility Construction;
2. Authorize the issuance of a purchase order to Marks Architects Inc. for \$152,200 in accordance with approved terms of the agreement;
3. Authorize the City Manager to execute any amendments, purchase orders and/ or change orders, contingent upon approved budget and approval of the City Attorney; and
4. Approve Budget Adjustments as contained in the Fiscal Impact section of this report.

- A.16. APPROVE AN INCREASE TO BMW MOTORCYCLES OF RIVERSIDE ANNUAL PURCHASE ORDER FOR FY 2022-23 (Report of: Police Department)

Recommendation:

1. Authorize a change order to increase Blanket Purchase Order #2023-274 to BMW Motorcycles of Riverside from \$50,000 to \$ 85,000 for FY 2022-23 year-end expenses.

- A.17. PA03-0086 (TRACT 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT. DEVELOPER - KB HOME CALIFORNIA, LLC (Report of: Public Works)

Recommendations:

1. Authorize the City Manager to execute the Quitclaim Deeds transferring all of the City's rights, title, and interest in and to the storm drain easements recorded on Tract 31592, recorded in Map Book 461, Pages 57 through 80 inclusive, in the Official Records of Riverside County, California and by separate instrument DOC#2018-0326762, to the Riverside County Flood Control and Water Conservation District (RCFC&WCD).
2. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

- A.18. PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D23-001 FOR AUBURN RESIDENTIAL DEVELOPMENT LOCATED AT THE NORTHWEST CORNER OF BAY AVENUE AND MORENO BEACH DRIVE. DEVELOPER: KB HOME COASTAL, INC. (Report of: Public Works)

Recommendations:

1. Accept and approve the Development Impact Fees Improvement Credit Agreement #D23-001 (DIF Agreement) for PEN19-0168 improvements.
2. Authorize the City Manager to execute the DIF Agreement.

- A.19. APPROVE AND EXECUTE THE AGREEMENT WITH ACCO ENGINEERED SYSTEMS, INC., FOURTH AMENDMENT WITH IMEG CORPORATION FOR THE PUBLIC SAFETY BUILDING HVAC REPLACEMENT PROJECT 803 0053 AND BUDGET APPROPRIATION (Report of: Public Works)

Recommendations:

1. Approve the Agreement for the Public Safety Building HVAC Replacement Project No. 803 0053 with Acco Engineered Systems, Inc, the lowest responsible bidder, and the Fourth Amendment with IMEG Corporation for Design and Construction Support Services, funded through Facility Construction (Fund 3000), Facilities Replacement Reserve (Fund 7330), and Equipment Replacement Reserve (Fund 7510);
2. Authorize the City Manager to execute the Agreement for the Public Safety Building HVAC Replacement with Acco Engineered Systems, Inc. and Fourth Amendment for Design and Construction Support Services with IMEG Corp; and issuance of the Purchase Orders for completion after the Agreement and Amendment have been fully executed;
3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreements within the authorized funding, subject to the approval of the City Attorney; and
4. Approve Budget Adjustments as contained in the Fiscal Impact section of this report.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

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

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEBRUARY 7, 2023.
(See Item A.2)

Recommendation:

1. Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.
(See Item A.3)

Recommendation:

1. Approve as submitted.

- B.4. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) - AMENDMENT NOS. 59, 62, 63, 69, 72 AND 74 (RESO. NOS. CSD 2023- __ TO CSD 2023-__) (Report of: Financial & Management Services)

Recommendation:

1. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 59) (D.R. Horton Los Angeles Holding Company, Inc., located near the northeast corner of Alessandro Blvd. and Lasselle St.).
2. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 62) (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.).
3. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 63) (SPSSN Inv II, 22402 Bay Ave.).
4. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 69) (David Santibanez de la Torre, 28778 McAbee Ave.).
5. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 72) (Marta and Luis Ernesto Interiano, 24649 La Barca Way).
6. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 74) (Denesse Duran and Jaime Eduardo Pulido, 23433 Dome St.).

C. CONSENT CALENDAR - HOUSING AUTHORITY

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

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEBRUARY 7, 2023.
(See Item A.2)

Recommendation:

1. Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.
(See Item A.3)

Recommendation:

1. Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

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

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEBRUARY 7, 2023.
(See Item A.2)

Recommendation:

1. Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.
(See Item A.3)

Recommendation:

1. Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

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

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEBRUARY 7, 2023.
(See Item A.2)

Recommendation:

- 1. Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEBRUARY 7, 2023.(See Item A.3)

Recommendation:

- 1. Approve as submitted.

F. PUBLIC HEARINGS

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

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

- F.1. APPEALS OF PLANNING COMMISSION APPROVAL OF PLOT PLAN FOR AN AUTOMOBILE PARKING LOT (Report of: Community Development)

Recommendations: That the City Council:

- A. **ADOPT** Resolution No. 2023-XX, attached hereto, **DENYING** Appeals PAA22-0005 and PAA23-0003, upholding the Planning Commission's decision approving the Plot Plan for the Automobile Parking Lot

AND:

- 1. **CERTIFYING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN21-0102 on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the proposed Project's potential environmental impacts; and

2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Plot Plan PEN21-0102 pursuant to CEQA and the CEQA Guidelines; and.

B. **ADOPT** Resolution No. 2023-XX attached hereto,

3. **APPROVING** the Planning Commission's approval of Plot Plan PEN21-0102 based on the Recitals, Evidence contained in the Administrative Records, and Findings as set forth in Resolution No. 2023-XX.

F.2. PUBLIC HEARING FOR ONE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDING (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceeding for the National Pollutant Discharge Elimination System (NPDES) Residential Regulatory Rate to be applied to the property tax bill of the parcels identified herein (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Circle);
2. Direct the City Clerk to open and count the returned NPDES ballot;
3. Verify and accept the results of the mail ballot proceeding as maintained by the City Clerk on the Official Tally Sheet and if approved, set the rate and impose the applicable NPDES Regulatory Rate on the Assessor's Parcel Numbers as mentioned;
4. Receive and file the Official Tally Sheet with the City Clerk's office.

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

H. GENERAL BUSINESS

H.1. ART MURAL PROGRAM DISCUSSION (Report of: City Manager)

Recommendations:

1. Council to authorize the Assistant City Manager & Parks & Community Services Director to work with the Arts Commission to develop a Public Art Policy. The policy will reflect the mission of the Arts Commission and will include guidelines regarding submittal process, selection criteria, installation, deinstallation, insurance, agreements, community engagement, and fiscal analysis.

2. Provide any other direction as authorized by Council.
- H.2. REVIEW OF OPTIONS REGARDING PROCEDURES FOR SELECTING THE MAYOR PRO TEM (Report of: City Clerk)
1. Provide direction regarding whether the Mayor Pro Tem selection process should be revised based on the one of the options described in this Staff Report.
- H.3. SENATE BILL NO. 1439 - CONFLICTS OF INTERESTS RELATED TO CAMPAIGN CONTRIBUTIONS (Report of: City Attorney)

Recommendation:

1. That the City Council receive and file this report.

I. REPORTS

I.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Riverside County Habitat Conservation Agency (RCHCA)

Riverside County Transportation Commission (RCTC)

Riverside Transit Agency (RTA)

Western Riverside Council of Governments (WRCOG)

Western Riverside County Regional Conservation Authority (RCA)

School District/City Joint Task Force

I.2. EMPLOYEE ASSOCIATION REPORTS

I.3. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

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

ADJOURNMENT

PUBLIC INSPECTION

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

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

CERTIFICATION

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC
City Clerk

Date Posted: February 16, 2023

**MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY PUBLIC FINANCING AUTHORITY
MORENO VALLEY HOUSING AUTHORITY**

**CLOSED SESSION – 4:30 PM
February 7, 2023**

CALL TO ORDER

The Closed Session of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Housing Authority, and the Moreno Valley Public Financing Authority was called to order at 4:30 p.m. by Mayor Cabrera in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

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

ROLL CALL

Council:	Ulises Cabrera	Mayor
	Ed Delgado	Mayor Pro Tem
	David Marquez	Council Member
	Cheylynda Barnard	Council Member
	Elena Baca-Santa Cruz	Council Member

PUBLIC COMMENTS ON MATTERS ON THE AGENDA ONLY

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

Minutes Acceptance: Minutes of Feb 7, 2023 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)

CLOSED SESSION

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

A CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9
 Case Name: Sierra Club et al. v. City of Moreno Valley
 Case No.: Riverside County Superior Court Case No. CVR12103300

B CONFERENCE WITH LEGAL COUNSEL POTENTIAL EXPOSURE OF LITIGATION

Pursuant to Government Code Section 54956.9 (d) (1 Potential Case)

Mayor Cabrera recessed the City Council to the City Manager's Conference Room, second floor, City Hall, for their Closed Session at 4:33pm.

Mayor Cabrera reconvened the City Council in the Council Chamber from their Closed Session at 5:30pm.

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

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

ADJOURNMENT

There being no further business to come before the City Council, Mayor Cabrera adjourned the meeting at 5:36 p.m.

Submitted by:

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

Approved by:

Ulises Cabrera
 Mayor
 City of Moreno Valley
 President, Moreno Valley Community Services District
 Chairperson, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Chairperson, Moreno Valley Housing Authority
 Chairperson, Board of Library Trustees
 Chairperson, Public Financing Authority

**MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
February 7, 2023**

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

1. DEPUTY OF THE 3RD QUARTER 2022

Minutes Acceptance: Minutes of Feb 7, 2023 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

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

**REGULAR MEETING – 6:00 PM
February 7, 2023**

CALL TO ORDER

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

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Delgado.

INVOCATION

The invocation was led by Pastor Flakes, from True Zoe Fellowship.

ROLL CALL

Council:	Ulises Cabrera	Mayor
	Edward A. Delgado	Mayor Pro Tem
	Elena Baca-Santa Cruz	Council Member
	David Marquez	Council Member
	Cheylynda Barnard	Council Member

Minutes Acceptance: Minutes of Feb 7, 2023 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

INTRODUCTIONS

Staff:	Jane Halstead	Manager of the Office of the Mayor and City Council/City Clerk
	Paul Bradvica	Deputy City Clerk
	Steven Quintanilla	Interim City Attorney
	Mike Lee	City Manager
	Michael Lloyd	Assistant City Manager
	Manuel Mancha	Community Development Director
	Melissa Walker	Public Works Director/City Engineer
	Jeremy Bubnick	Parks and Community Services Director
	Ken Reichle	Chief of Police
	Mike Martinez	Battalion Chief

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Fred Banuelos

- 1. Transparency concerns.

Adam Eventov

- 1. Natural gas information.

Roland Allgayer

- 1. Transitional homes.

Judy Brice

- 1. Accessory Dwelling Unit.

Daryl T

- 1. Natural gas prices.

Christopher Baca

- 1. Public Safety.

Martin Cabrera

- 1. City suggestions.

James C. Baker

- 1. Projects in the City.

Minutes Acceptance: Minutes of Feb 7, 2023 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Bob Palomarez

1. DUI Checkpoints and Two Companies.

Russell Shafer

1. Meeting conduct.

Sarah Lytle

1. Homeless crisis.

Pete

1. Critical of Mayor Cabrera.

Dr. Mary McBean

1. Natural Gas Prices.

Linda Thomas

1. Critical of Mayor Cabrera.

Roy Bleckert

1. Freedom of Speech.

Michelle Davis

1. Community engagement.

Louise Palomarez

1. Critical of Mayor Cabrera.

Jorge Coronado

1. Creative project.

Audrey Thomas

1. Critical of Mayor Cabrera.

PUBLIC COMMENTS ON MATTERS ON THE AGENDA

Roy Bleckert

1. Previous Council Meeting.

CITY COUNCIL OPENING COMMENTS

None.

JOINT CONSENT CALENDARS (SECTIONS A-E)

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Delgado, Mayor Pro Tem
SECONDER:	Elena Baca-Santa Cruz, Council Member
AYES:	Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

A. CONSENT CALENDAR-CITY COUNCIL

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

Recommendation: Waive reading of all Ordinances.

- A.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022 (Report of: City Clerk) **(Item Pulled from Consent to Section G for separate vote)**

- A.3. City Council - Closed Session - Jan 17, 2023 4:30 PM

Recommendation:

1. Approve as submitted.

- A.4. City Council - Regular Meeting - Jan 17, 2023 6:00 PM

Recommendation:

1. Approve as submitted.

- A.5. PAYMENT REGISTER - NOVEMBER 2022 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

- A.6. LGL21-0017 - NOTICE OF INTENT TO VACATE A PORTION OF GATO DEL SOL AVENUE AT VIRGINIA STREET. OWNER: SAN DIEGO GAS & ELECTRIC (Report of: Public Works)

Recommendations:

1. A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Vacate a Portion of Gato Del Sol Avenue at Virginia Street.
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

- A.7. PEN20-0063 (TR 37909) – APPROVE TRACT MAP 37909 LOCATED ON THE SOUTH SIDE OF IRIS AVENUE, EAST OF PERRIS BOULEVARD. DEVELOPER: BEAZER HOMES HOLDINGS, LLC (Report of: Public Works)

Recommendations:

1. Approve Tract Map 37909.
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

- A.8. APPROVE PURCHASE OF METERS FROM MCAVOY AND MARKHAM ENGINEERING & SALES CO. FOR MORENO VALLEY UTILITY (Report of: Public Works)

Recommendations:

1. Approve the purchase of meters from McAvoy and Markham Engineering & Sales Co. up to the Council approved amended budget of \$495,916 in Moreno Valley Utility's Emergency Outage Response account 6010-70-80-45510-710134; and
2. Authorize the City Manager to execute subsequent associated purchase orders subject to the approved budget by City Council.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

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

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022
(Report of the City Clerk) (SEE ITEM A.2) **(Item Pulled from Consent to Section G for separate vote)**

Recommendation:

1. Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - CLOSED SESSION - JANUARY 17, 2023
(Report of the City Clerk) (SEE ITEM A.3)

Recommendation:

1. Approve as submitted.

- B.4. MINUTES - CITY COUNCIL - REGULAR MEETING - JANUARY 17, 2023
(Report of the City Clerk) (SEE ITEM A.4)

Recommendation:

1. Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

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

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022
(Report of the City Clerk) (SEE ITEM A.2) **(Item Pulled from Consent to Section G for separate vote)**

Recommendation:

1. Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - CLOSED SESSION - JANUARY 17, 2023
(Report of the City Clerk) (SEE ITEM A.3)

Recommendation:

1. Approve as submitted.

- C.4. MINUTES - CITY COUNCIL - REGULAR MEETING - JANUARY 17, 2023
(Report of the City Clerk) (SEE ITEM A.4)

Recommendation:

1. Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

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

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022 (Report of the City Clerk) (SEE ITEM A.2) **(Item Pulled from Consent to Section G for separate vote)**

Recommendation:

1. Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - CLOSED SESSION - JANUARY 17, 2023 (Report of the City Clerk) (SEE ITEM A.3)

Recommendation:

1. Approve as submitted.

- D.4. MINUTES - CITY COUNCIL - REGULAR MEETING - JANUARY 17, 2023 (Report of the City Clerk) (SEE ITEM A.4)

Recommendation:

1. Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

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

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022 (Report of the City Clerk) (SEE ITEM A.2) **(Item Pulled from Consent to Section G for separate vote)**

Recommendation:

1. Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - CLOSED SESSION - JANUARY 17, 2023
(Report of the City Clerk) (SEE ITEM A.3)

Recommendation:

1. Approve as submitted.

- E.4. MINUTES - CITY COUNCIL - REGULAR MEETING - JANUARY 17, 2023
(Report of the City Clerk) (SEE ITEM A.4)

Recommendation:

1. Approve as submitted.

F. PUBLIC HEARINGS - NONE

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.

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

- G.1. MINUTES - CITY COUNCIL - REGULAR MEETING - DECEMBER 6, 2022
(Report of: City Clerk)

Recommendation:

1. Approve as submitted.

Mayor Cabrera opened the item for Council questions of staff.

Council Member Baca-Santa Cruz asked questions of staff.

City Clerk Jane Halstead responded to Council Member Baca-Santa Cruz's questions.

Mayor Cabrera asked staff if there were any recommendations or if any changes are needed based on the public's concerns.

City Clerk Jane Halstead stated staff had no recommendations or concerns.

Mayor Cabrera called for public comments.

With no public comments, Mayor Cabrera called for a motion.

Motion made by Mayor Cabrera and seconded by Mayor Pro Tem Delgado.

Motion passed by a vote of 4-0, with Council Member Baca-Santa Cruz, Council Member Marquez, Mayor Pro Tem Delgado, and Mayor Cabrera voting yes and Council Member Barnard abstaining.

RESULT:	APPROVED [4 TO 0]
MOVER:	Ulises Cabrera, Mayor
SECONDER:	Ed Delgado, Mayor Pro Tem
AYES:	Ulises Cabrera, Ed Delgado, David Marquez, Elena Baca-Santa Cruz
ABSTAIN:	Cheylynda Barnard

H. GENERAL BUSINESS

H.1. 6088 : SENATE BILL NO. 1100 REGARDING DECORUM AT PUBLIC MEETINGS (Report of: City Attorney)

Interim City Attorney Steven Quintanilla provided the staff report.

Mayor Cabrera opened the floor for Council questions of staff.

With no Council questions of staff, Mayor Cabrera called for public comments to be heard.

Christopher Baca

1. Support.

Roy Bleckert

1. Support.

Russell Shafer

1. Oppose.

Bob Palomarez

1. Support.

Louise Palomarez

1. Support.

Dr. Mary McBean

1. Support.

Mayor Cabrera opened the floor for Council deliberation.

Council Member Barnard cautioned the Council to tread lightly regarding matters of freedom of speech.

Council Member Baca-Santa Cruz stated this item is in no way intended to restrict your freedom of speech, instead this bill allows for disruptions to be handled by removing the disruption instead of removing all residents from the Council Chambers.

Mayor Pro Tem Delgado stated he does not feel the City needs to adopt a policy, provisions, or change rules in response to this bill; instead, the Council Member suggested the Council follow the bill the way it is written.

Mayor Cabrera agreed with comments made by the Council. Mayor Cabrera asked residents to try not to use profanity when speaking, but he does respect their first amendment right.

With additional request to speak from the public, Mayor Cabrera called for public comments to be heard.

Linda Thomas

1. Support.

Michelle Davis

1. Support.

Mayor Cabrera called for a two minute break.

Mayor Cabrera asked staff if a vote was needed to receive and file this report.

Interim City Attorney Steven Quintanilla stated a vote was not necessary.

With no vote necessary, Mayor Cabrera closed the item.

- H.2. SENATE BILL NO. 1087 (SB 1087) AND ASSEMBLY BILL NO. 1740 (AB 1740) PERTAINING TO CATALYTIC CONVERTER THEFT (Report of: City Attorney)

Interim City Attorney Steven Quintanilla provided the staff report.

Mayor Cabrera called for public comments to be heard.

Daryl T

1. Support.

Bob Palomarez

1. Support.

Roy Bleckert

1. Support.

Louise Palomarez

1. Support.

Mayor Cabrera opened the floor for Council deliberation.

Mayor Cabrera stated he did ask for this item to come to Council, as many of the residents of the City have had to deal with this issue. Mayor Cabrera stated he wanted to have this discussion and make sure this information is heard by those who need it most, whether it is recyclers, mechanics, or residents.

Mayor Cabrera stated at an upcoming meeting, he will be asking to look at the City's legislative priorities.

Council Member Baca-Santa Cruz asked staff if there was any outreach to our businesses or people impacted by this bill.

City Manager Mike Lee responded and stated the Community Enhancement team visited all 145 recycling businesses in the City providing them the information regarding SB 1087 and AB 1740. Additionally, a letter will be sent out to all recycling businesses outlining these laws. In the next 60 days, a hot line will be created for residents to call and report if they suspect any businesses are buying catalytic converters illegally. City Manager Mike Lee also stated they will be implementing an annual inspection of the 145 recycling businesses.

Mayor Pro Tem Delgado stated enforcement will be pertinent to determine the success of this bill. Mayor Pro Tem Delgado brought in examples of catalytic converters and asked Mayor Cabrera to show the residents what a catalytic converter looks like.

Mayor Cabrera asked if there were any other request to speak from Council.

With no request to speak, Mayor Cabrera closed the item.

I.REPORTS

I.1.CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

None.

Riverside County Habitat Conservation Agency (RCHCA)

None.

Riverside County Transportation Commission (RCTC)

Mayor Cabrera reported the following:

Tonight, I'm providing updates from the RCTC Budget and Implementation Committee meeting held on January 23rd.

The Committee approved the Fiscal Year 2022/23 mid-year budget adjustments for a net increase of \$2,559,200 and \$3,459,200 in revenues and expenditures, respectively.

The Committee also heard a briefing regarding state and federal legislative updates.

That concludes my report on the last RCTC Budget and Implementation Committee meeting.

Riverside Transit Agency (RTA)

Council Member Marquez reported the following:

The Committee heard a presentation regarding the RTA Information Technology needs and authorized the award of an agreement to Helixstorm for Information Technology Managed Services.

The Board heard a presentation of the Sustainable Service Plan and authorized staff to seek public comments. The Board also authorized to execute a revenue

agreement with Call The Car for the purchase of 30-day bus passes for Inland Empire Health Plan.

Western Riverside Council of Governments (WRCOG)

Council Member Baca-Santa Cruz reported the following:

Items covered at the WRCOG Executive Committee meeting on February 6, 2023 include:

The Executive Committee adopting the WRCOG 2022-2027 Strategic Plan.

That concludes my report on the last WRCOG meeting.

Western Riverside County Regional Conservation Authority (RCA)

Council Member Marquez reported the following:

Items covered at the RCA Board of Directors meeting on February 6, 2023, include:

- The Board of Directors approval of amendments to the MSHCP Mitigation Fee Implementation Manual. The updates provide clarity to Member Agencies.

That concludes my report on the last RCA Meeting.

School District/City Joint Task Force

None.

I.2. EMPLOYEE ASSOCIATION REPORTS

None.

I.3. CITY MANAGER'S REPORT

1. Homelessness resources provided to resident.
2. Congratulated new Public Works Director Melissa Walker.
3. Beautify Moreno Valley.

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

Council Member Baca-Santa Cruz

1. League of California Cities Conference.
2. City improvements and events.
3. CBAT Teams.
4. Spanish Translation Services.

Council Member Marquez

1. Poppy Fields.
2. League of California Cities Conference.

Council Member Barnard

1. League of California Cities Conference.
2. California Air Resources Board (CARB), Riverside.
3. Congratulated Officer Reyes.
4. Carnegie Homeless Shelter.
5. CBAT Teams.

Mayor Pro Tem Delgado

1. League of California Cities Conference.
2. Students of the Mont Breakfasts.
3. Point in Time Count.
4. Real Estate Conference.
5. Texas Roadhouse.
6. Victoriano Park Lighting.
7. Elks Lodge Hoop Shoot.

Mayor Cabrera

1. MLK Scholarship Breakfast.
2. League of California Cities Latino Caucus Retreat.
3. Community Day of Kindness, Canyon Springs High School.
4. Assembly Member Corey Jackson.
5. Point In Time Count.
6. Karma Automotive and B-ON Electric Vehicles.
7. California Air Resources Board (CARB), Riverside.
8. Patriot Park.

Motion to explore options of adding a basketball court to Patriot Park.

Motion made by Mayor Cabrera and seconded by Council Member Marquez.

Motion passed with a 5-0 vote, with Council Member Baca-Santa Cruz, Council Member Marquez, Council Member Barnard, Mayor Pro Tem Delgado, and Mayor Cabrera voting yes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ulises Cabrera, Mayor
SECONDER:	David Marquez, Council Member
AYES:	Cabrera, Delgado, Marquez, Barnard, Baca-Santa Cruz

9. Study Sessions.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Cabrera adjourned the meeting at 9:09pm.

PUBLIC INSPECTION

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

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

Minutes Acceptance: Minutes of Feb 7, 2023 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

business hours.

Submitted by:

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

Approved by:

Ulises Cabrera
 Mayor
 City of Moreno Valley
 President, Moreno Valley Community Services District
 Chairperson, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Chairperson, Moreno Valley Housing Authority
 Chairperson, Board of Library Trustees
 Chairperson, Public Financing Authority



Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, CMC, City Clerk

AGENDA DATE: February 21, 2023

TITLE: COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2022/2023 FROM 1. JULY 1, 2022, THROUGH JANUARY 31, 2023.

RECOMMENDED ACTION

Recommendation:

1. Receive and file the Fiscal Year 2022/2023 Council Discretionary Expenditure Report for July 1, 2022, through January 31, 2023.

SUMMARY

This staff report is prepared at the request of the City Council to provide transparency with respect to the expenditure of City funds from City Council Discretionary Expenditure Accounts. These reports are for each Council Member's year to date expenditures for Fiscal Year 2022/2023, for July 1, 2022 through January 31, 2023. Each Council District receives an annual budget allocation of \$3,000 and the Mayor receives an annual budget allocation of \$6,000.

With the adoption of the current fiscal year budget and pursuant to Resolution No. 2021-31, unused monies from Fiscal Year 2021/2022 has been carried over to the current Fiscal Year as approved by the City Manager.

The expenditure reports are included routinely in the City Council agenda as an additional means of distributing reports on activities to the Council and public. The reports are to be posted to the City's website following Council approval. The monthly reports provide unaudited information and are reconciled to the City's general ledger. Following the end of the Fiscal Year, the financial information shall be reviewed as part of the City's independent financial audit.

NOTIFICATION

Posting of the agenda as required by the Brown Act.

PREPARATION OF STAFF REPORT

Prepared By:
Jasmin Rivera
Management Assistant

Department Head Approval:
Jane Halstead
City Clerk

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

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

- 1. FY 22-23 Expenditure Report Sheet

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/16/23 1:34 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/16/23 1:35 PM



MAYOR ULISES CABRERA

Fiscal Year 2022/2023 Council Discretionary Expenditures
 Accounts: 1010-10-01-10015-620130 Mayor Discretionary
 1010-10-01-10015-620131 Mayor Discretionary - Carryover
 December 13, 2023 – January 31, 2023

Date	Amount	Description
12/27/2022	563.98	The Leela Project
No expenditures to report for January 2023		

\$	563.98	TOTAL Council Discretionary Expenditures for FY 22/23
\$	3,000.00	FY 22/23 Adopted Budget Amount
\$	-	Carryover Budget Amount FY 21/22
\$	3,000.00	FY 22/23 Amended Budget Amount

\$ 2,436.02 FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.
 Updated as of: 2/14/2023



MAYOR PRO TEM EDWARD A. DELGADO
Fiscal Year 2022/2023 Council Discretionary Expenditures
Accounts: 1010-10-01-10012-620112 District 2 Discretionary
1010-10-01-10012-620117 District 2 Discretionary - Carryover
July 1, 2022 – January 31, 2023

Date	Amount	Description
No expenditures to report for July 2022		
8/2/2022	\$ 108.25	Trailseekers Moreno Valley Equestrian Center Reservation
8/26/2022	\$ 500.00	Diamond Girls Softball Association Team Contribution: Lady Outlaws
8/31/2022	\$ 190.84	The Bob Hope Project Plaque
9/30/2022	\$ 500.00	Canyon Springs Little League
9/30/2022	\$ 187.50	Banning State of the City
10/24/2022	\$ 208.54	Elks Lodge Hoop-Shoot
No expenditures to report for November 2022		
No expenditures to report for December 2022		
1/10/2023	\$ 500.00	The Hole in Wall, Inc.

	\$ 2,195.13	TOTAL Council Discretionary Expenditures for FY 22/23
	\$ 3,000.00	FY 22/23 Adopted Budget Amount
	\$ <u>335.00</u>	Carryover Budget Amount FY 21/22
	\$ <u>3,335.00</u>	FY 22/23 Amended Budget Amount
\$ 1,139.87		FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.
Updated as of: 2/14/2023

Attachment: FY 22-23 Expenditure Report Sheet [Revision 2] (6067 : COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR



COUNCIL DISTRICT 1 ELENA BACA-SANTA CRUZ

Fiscal Year 2022/2023 Council Discretionary Expenditures
 Accounts: 1010-10-01-10011-620111 District 1 Discretionary
 1010-10-01-10011-620116 District 1 Discretionary - Carryover
 July 1, 2022 – January 31, 2023

Date	Amount	Description
No expenditures to report for July 2022		
8/31/2022 \$	200.00	Diamond Girls Softball Association Team Contribution: Ruthless
9/21/2022 \$	30.00	League of California Cities Riverside County Division Dinner
9/30/2022 \$	187.50	Banning State of the City
10/13/2022 \$	250.00	The Hole in Wall Inc.
10/31/2022 \$	49.37	Turning Red Tape in Red Carpet
No expenditures to report for November 2022		
12/31/2022 \$	250.00	Tuning Sounds Organization
No expenditures to report for January 2023		

\$ 966.87 TOTAL Council Discretionary Expenditures for FY 22/23

\$ 3,000.00 FY 22/23 Adopted Budget Amount

\$ 1,450.00 Carryover Budget Amount FY 21/22

\$ 4,450.00 FY 22/23 Amended Budget Amount

\$ 3,483.13 FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.
 Updated as of: 2/14/2023



COUNCIL DISTRICT 3 DAVID MARQUEZ
Fiscal Year 2022/2023 Council Discretionary Expenditures
Accounts: 1010-10-01-10013-620113 District 3 Discretionary
1010-10-01-10013-620118 District 3 Discretionary - Carryover
July 1, 2022 – January 31, 2023

Date	Amount	Description
7/31/2022	\$ 50.00	Jamil Dada Awards Ceremony Dinner
8/31/2022	\$ 500.00	Diamond Girls Softball Association Team Contribution: Luna Chicks
		No expenditures to report for September 2022
		No expenditures to report for October 2022
		No expenditures to report for November 2022
12/08/2022	\$ 50.00	2022 State of Riverside County
		No expenditures to report for January 2023

\$ 600.00 TOTAL Council Discretionary Expenditures for FY 22/23

\$ 3,000.00 FY 22/23 Adopted Budget Amount

\$ 5,829.00 Carryover Budget Amount FY 21/22

\$ 8,829.00 FY 22/23 Amended Budget Amount

\$ 8,229.00 FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.
Updated as of: 2/14/2023

Attachment: FY 22-23 Expenditure Report Sheet [Revision 2] (6067 : COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR



COUNCIL DISTRICT 4 CHELYNDA BARNARD
Fiscal Year 2022/2023 Council Discretionary Expenditures
Accounts: 1010-10-01-10014-620114 District 4 Discretionary
1010-10-01-10014-620119 District 4 Discretionary - Carryover
December 13, 2022 – January 31, 2023

Date	Amount	Description
		No expenditures to report for December 2022
		No expenditures to report for January 2023

	\$	0.00	TOTAL Council Discretionary Expenditures for FY 22/23
	\$	1,500.00	FY 22/23 Adopted Budget Amount
	\$		- Carryover Budget Amount FY 21/22
	\$	1,500.00	FY 22/23 Amended Budget Amount
\$		1,500.00	FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.
Updated as of: 2/14/2023



COUNCIL DISTRICT 4 ULISES CABRERA

Fiscal Year 2022/2023 Council Discretionary Expenditures
Accounts: 1010-10-01-10014-620114 District 4 Discretionary
1010-10-01-10014-620119 District 4 Discretionary - Carryover
July 1, 2022 – December 13, 2022

Date	Amount	Description
7/29/2022	\$ 500.00	Community Health Systems, Inc Backpack Giveaway
7/29/2022	\$ 500.00	Moreno Valley Community Band/ Wind Symphony Student Dues contribution
7/31/2022	\$ 50.00	Jamil Dada Awards Ceremony Dinner
7/31/2022	\$ 53.98	District 4 Town Hall Beverages and Snacks
7/31/2022	\$ 14.52	District 4 Town Hall Beverages and Snacks
7/31/2022	\$ 24.60	District 4 Town Hall Beverages and Snacks
8/8/2022	\$ 400.00	Moreno Valley Unified School District Health & Resource Fair Supplies
8/26/2022	\$ 300.00	Blessed Ministry CDC Backpack Giveaway
9/30/2022	\$ 187.50	Banning State of the City
10/31/2022	\$ 787.79	Valley View High School Football Team- Pre-Game Meal Raising Cane's
		No expenditures to report for November 2022
		No expenditures to report for December 2022
	\$ 2,818.39	TOTAL Council Discretionary Expenditures for FY 22/23
	\$ 3,000.00	FY 22/23 Adopted Budget Amount
	\$ -	- Carryover Budget Amount FY 21/22
	\$ 3,000.00	FY 22/23 Amended Budget Amount
\$	181.61	FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.
Updated as of: 2/14/2023

Attachment: FY 22-23 Expenditure Report Sheet [Revision 2] (6067 : COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR



MAYOR DR. YXSTIAN A. GUTIERREZ

Fiscal Year 2022/2023 Council Discretionary Expenditures
 Accounts: 1010-10-01-10015-620130 Mayor Discretionary
 1010-10-01-10015-620131 Mayor Discretionary - Carryover
 July 1, 2022 – December 12, 2023

Date	Amount	Description
7/31/2022	\$ 50.00	Jamil Dada Awards Ceremony Dinner
8/31/2022	\$ 500.00	Diamond Girls Softball Association Team Contribution: Luna Chicks
9/01/2022	\$ 1,000.00	Valley View High School Football Team Uniforms
9/21/2022	\$ 30.00	League of California Cities Riverside County Division Dinner
9/30/2022	\$ 187.50	Banning State of the City
11/28/2022	\$ 9,622.63	Mayor's Turkey Give Away - Turkeys

\$ 11,390.13 TOTAL Council Discretionary Expenditures for FY 22/23

\$ 6,000.00 FY 22/23 Adopted Budget Amount

\$ 5,767.00 Carryover Budget Amount FY 21/22

\$ 11,767.00 FY 22/23 Amended Budget Amount

\$ 376.87 FY 22/23 Budget Amount Remaining

Source: Unaudited financial data from the City's accounting records.

Updated as of: 2/14/2023



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: February 21, 2023

TITLE: ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD

RECOMMENDED ACTION

Recommendations:

1. Accept the Fiscal Year 2022 Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program award of \$56,476 administered through the Riverside County Sheriff's Department;
2. Authorize the City Manager, or his designee, to execute for and on behalf of the City of Moreno Valley, agreements and other related documents including any amendments required by the Bureau of Justice Assistance for participation in the Edward Byrne Memorial Justice Assistance Grant Program, subject to the approval of the City Attorney; and
3. Authorize the Chief Financial Officer, or his designee, to make any necessary budget adjustments as recommended in the Fiscal Impact section of this report.

SUMMARY

This report recommends acceptance of the FY 2022 Bureau of Justice Assistance (BJA) Edward Byrne Memorial Justice Assistance Grant Program (JAG) conditional grant awarded in the amount of \$56,476. As with prior JAG funds awarded, it is used to support the Weekend Enhancement Program.

DISCUSSION

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of programs nationally aimed at preventing and suppressing crime. This effort is carried out through the formation of partnerships with other Federal, State and local governments in focusing on programs that address other enforcement needs, such as the prosecution of offenders, crime prevention, and education of the community. As the Federal government allocates funds to each State, the States then allocate funds throughout the regions. The grant is considered conditional as the initial allocation to California is not yet confirmed.

For 2022, the JAG program has conditionally allocated a total of \$498,388 to Riverside County and participating cities. The City is classified as a sub-grantee due to programs that address enforcement of municipal codes, neighborhood nuisances, health and safety, and substandard housing. Moreno Valley's Community Enhancement and Neighborhood Services Division is proposing the continued use of JAG funding for the City's Weekend Enhancement Program. This program is vital in combating neighborhood blight, unpermitted activities, and serves as a deterrent to criminal activity. The grant has funded up to three part-time Community Enhancement Officers currently assigned to the Weekend Enhancement Program.

The City has applied for JAG allocations annually since 2009 to help support the cost of these services. The City has been successful and has received regular annual funds awarded. Through the JAG Program, the City has benefitted from over \$850,000 in awarded funding supporting the City's Weekend Enforcement Program. This approach is consistent with the desire of the Council to identify and pursue alternate funding sources whenever possible.

ALTERNATIVES

1. Accept the FY 2022 BJA Edward Byrne Memorial JAG grant award and approve any necessary budget adjustments. ***Staff recommends this alternative.***
2. Do not accept the FY 2022 BJA Edward Byrne Memorial JAG grant award. ***Staff does not recommend this alternative.***

FISCAL IMPACT

This grant has no requirement for matching funds. All approved expenses are reimbursed by the grant. Therefore, it is cost-neutral to the City, and there is no impact to the General Fund.

As noted, the grant is contingent upon Federal allocation of funds to the State that is then allocated to the regions. All approved expenses are expected to be reimbursed by the grant award.

Acceptance of this grant award will necessitate the adjustments outlined below.

Description	Fund	GL, Account No.	Type (Rev/Exp)	FY22/23 Budget	Proposed Adjustments	FY22/23 Amended Budget
Receipt of Grant	JAG	2715-20-26-72115-485000 GR JAG 22 – CODE	Rev	\$0	\$56,476	\$56,476
Salaries-Temporary	JAG	2715-20-26-72115-611310 GR JAG 22 – CODE	Exp	\$0	\$56,476	\$56,476

NOTIFICATION

Publication of the Agenda

PREPARATION OF STAFF REPORT

Prepared By:
Robert Alvarez
Community Enhancement and Neighborhood
Services Division Manager

Department Head Approval:
Manuel A. Mancha
Community Development Director

CITY COUNCIL GOALS

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

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

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

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

ATTACHMENTS



To view large attachments, please click your “bookmarks” on the left hand side of this document for the necessary attachment.

1. JAG 22 Interlocal Agreement

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 7:53 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:27 AM

INTERLOCAL AGREEMENT
BETWEEN THE CITIES OF BANNING, BEAUMONT, CATHEDRAL CITY, CORONA, DESERT HOT
SPRINGS, HEMET, INDIO, JURUPA VALLEY, LAKE ELSINORE, MENIFEE, MORENO VALLEY,
PALM SPRINGS, PERRIS, CITY OF RIVERSIDE, TEMECULA AND
THE COUNTY OF RIVERSIDE, CA

CONCERNING DISTRIBUTION OF THE
2022 JUSTICE ASSISTANCE GRANT AWARD

This Interlocal Agreement ("Agreement") is made and entered into this 10th day of Jan., 2023, by and between THE COUNTY OF RIVERSIDE, acting by and through its governing body, the Riverside County Board of Supervisors (hereinafter referred to as "COUNTY"), and named CITIES as referenced in Appendix 1 (hereinafter referred to as "CITIES"), acting by and through their respective governing bodies, the City Councils, all of whom are situated within the County of Riverside, State of California, as follows:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the COUNTY agrees to release to CITIES their respective grant allocation from the JAG Award, less ten percent (10%) re-allocated to COUNTY, as reflected on Appendix 1, here attached and hereby incorporated by reference as part of this Agreement, on a reimbursement basis; and COUNTY agrees to provide the administration of COUNTY's and CITIES' programs during the entire permissible duration of said programs; and additionally the COUNTY and CITIES each agree that it is their responsibility to ensure these funds are expended in accordance with JAG guidelines; and

WHEREAS, the COUNTY and CITIES believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITIES agree as follows:

Section 1.

COUNTY agrees to release to CITIES up to their respective grant allocation from the JAG Award, less ten percent (10%) re-allocated to COUNTY, as reflected in Appendix 1 on a reimbursement basis, from the JAG Award within (45) days upon receipt of fully documented reimbursement request, and; COUNTY agrees to provide the administration of COUNTY's and CITIES' programs during the entire permissible duration of said programs.

Section 2.

COUNTY and CITIES each agree that it is their responsibility to ensure these funds are expended in accordance with JAG guidelines.

JAN 10 2023 3.42

Attachment: JAG 22 Interlocal Agreement (6100 : ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE

Section 3.

COUNTY and CITIES agree to comply with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars that apply to the 2022 Justice Assistance Grant; and 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and also specifically assures and certifies all items as written in the attached Addendum A "Riverside County Sheriff's Department Certified Standard Assurances."

Section 4.

CITIES agree to provide COUNTY performance reports every month demonstrating progress in achieving desired goals and outcomes in a form and manner as required under the 2022 Justice Assistance Grant Program.

Section 5.

CITIES agree to provide COUNTY with sufficient, timely information within five business days after receiving a written request from COUNTY to meet JAG requirements for quarterly, semi-annual, and annual financial and performance reports.

Section 6.

Nothing arising from this Agreement shall impose any liability for claims or actions against COUNTY other than what is authorized by law.

Section 7.

Nothing arising from this Agreement shall impose any liability for claims or actions against CITIES other than what is authorized by law.

Section 8.

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable to any other party to this Agreement for any claim or action arising from the services provided under this Agreement.

Section 9.

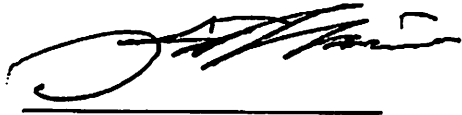
The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 10.

By entering into this Agreement, the parties do not intend to create any obligations, either express or implied, other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

WHEREFORE, all parties freely and voluntarily agree to all of the above terms.

COUNTY OF RIVERSIDE, CA



Chair, County Board of Supervisors
KEVIN JEFFRIES

ATTEST:



Clerk of the Board
KIMBERLY A. RECTOR

APPROVED AS TO FORM:
Minh C. Train



Amrit P. Dhillon
Deputy County Counsel

Attachment: JAG 22 Interlocal Agreement (6100 : ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE

JAN 10 2023 3.42

WHEREFORE, all parties freely and voluntarily agree to all of the above terms.

CITY OF MORENO VALLEY, CA

Mike Lee, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: JAG 22 Interlocal Agreement (6100 : ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE

Appendix 1			
Eligible Agencies in FY 2022 JAG Disparate Area			
	BJA Formula	To Fiscal Agent (Sheriff's Department)	Adjusted Individual Allocation
Riverside County (Sheriff's Department) FA			
Banning	\$10,122	\$1,013	\$9,109
Beaumont	\$10,633	\$1,064	\$9,569
Cathedral City	\$11,400	\$1,140	\$10,260
Corona	\$20,295	\$2,030	\$18,265
Desert Hot Springs	\$19,989	\$1,999	\$17,990
Hemet	\$28,679	\$2,868	\$25,811
Indio	\$39,850	\$3,985	\$35,865
Jurupa Valley	\$23,900	\$2,390	\$21,510
Lake Elsinore	\$13,624	\$1,363	\$12,261
Menifee	\$11,221	\$1,123	\$10,098
Moreno Valley	\$62,752	\$6,276	\$56,476
Palm Springs	\$20,398	\$2,040	\$18,358
Perris	\$19,989	\$1,999	\$17,990
Riverside City	\$124,303	\$12,431	\$111,872
Temecula	\$11,579	\$1,158	\$10,421
Riverside County	\$69,654		\$69,654
	\$498,388		
% To Fiscal Agent	10%		
\$ To FA	\$42,879		

Attachment: JAG 22 Interlocal Agreement (6100 : ACCEPTANCE OF THE FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: February 21, 2023

TITLE: APPROVAL OF FIRST AMENDMENT TO AGREEMENT WITH CIVIC SOLUTIONS, INC., FOR PLANNING CONSULTANT SERVICES ON AN AS NEEDED BASIS (AGMT NO. 2022-72-01)

RECOMMENDED ACTION

Recommendations:

1. Approve the First Amendment to Agreement for Planning Consultant Services on an As Needed Basis with Civic Solutions, Inc., and authorize the City Manager, or his designee, to execute the Amendment, and any subsequent amendments, and Purchase Orders, subject to the approval of the City Attorney, in accordance with approved terms of the agreement and within available budget as previously approved by Council;
2. Authorize an increase of \$500,000.00 to the not-to-exceed amount of the Agreement with Civic Solutions, Inc., to \$550,000.00, funded by fees paid by project applicants. Authorize the Purchasing Division Manager to approve a change order to increase Purchase Order #2023-507 to Civic Solutions, Inc.; and
3. Authorize the Chief Financial Officer, or his designee, to make the appropriate budget adjustments as set forth in the Fiscal Impact section of this report.

SUMMARY

This report recommends approval of the First Amendment to the Agreement for Planning Consultant Services on an As Needed Basis with Civic Solutions, Inc. Additional consultant costs will be fully offset by fees collected on applications.

The Amendments will increase the amount of the City's Agreement by \$500,000.00 up to \$550,000.00 and allow for continued use of consultant services through the end of

FY24/25.

The new amount of this Agreement will increase the existing Purchase Order, as needed, to cover the external planning entitlement and plan check service consultant costs.

DISCUSSION

The Planning Division initially entered into a \$50,000.00 contract with Civic Solutions, Inc., for assistance with entitlement activities as the Division is seeing the largest number of new applications being submitted in well over a decade. External planning entitlement and plan check services are necessary as the continued, high demand for application processing plan check services is expected to continue over the term of the Agreement.

Consultant services in the Planning Division are used to augment internal staffing resources, particularly during heavy workload periods, to ensure timely entitlement application processing, environmental review, and overall customer service.

The requested \$500,000 increase and budget adjustment is to cover increased entitlement and plan check services and will allow the Division to meet current and projected expenditure and revenue levels through FY24/25. Funds allocated are recovered from fees paid by project applicants.

ALTERNATIVES

1. Approve the recommended actions as presented in this staff report. *This alternate is recommended by staff as it continues the existing level of professional and timely development services to deliver high-quality development projects.*
2. Do not approve the recommended actions as presented in this staff report. *This alternative is not recommended by staff and would cause delays at all levels of the entitlement process for development projects.*

FISCAL IMPACT

There is no additional impact projected for the General Fund. Additional consultant costs will be fully offset by fees collected on applications.

The following sets forth the recommended revenue and expenditure budget adjustments. The future budget adjustments will be estimated and completed through year-end budget carryover or quarterly budget adjustments to allow for projected expenditure and revenue levels through FY24/25.

Description	Fund	GL Account Project Number	Type	FY22/23 Amended Budget	FY22/23 Proposed Adjustment	FY22/23 Revised Budget
-------------	------	------------------------------	------	------------------------------	-----------------------------------	------------------------------

Planning Fees	General Fund	1010-20-27-20211-525000	REV	\$2,100,000	\$ 500,000	\$2,600,000
Contractual Svcs - Other	General Fund	1010-20-27-20211-625099	EXP	\$ 865,000	\$ 500,000	\$ 1,365,000

NOTIFICATION

Publication of the Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Sean Kelleher
Planning Official

Department Head Approval:
Manuel A. Mancha
Community Development 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.

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

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

1. First Amendment to Agreement - Civic Solutions

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 7:52 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:28 AM

**FIRST AMENDMENT TO AGREEMENT
FOR ON-SITE AND/OR PROFESSIONAL SERVICES (DESIGN PROFESSIONAL SERVICES)**

The First Amendment to Agreement is by and between the **CITY OF MORENO VALLEY**, a municipal corporation, hereinafter referred to as “City,” and **CIVIC SOLUTIONS, INC.**, hereinafter referred to as “Consultant.” This First 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 ON-SITE AND/OR PROFESSIONAL SERVICES (DESIGN PROFESSIONAL SERVICES)**” hereinafter referred to as “Agreement,” dated **June 22, 2022**.

Whereas, the Consultant is providing **Planning consultant services on an as-needed basis**.

Whereas, it is desirable to amend the Agreement to **extend the term of the Agreement and increase the Consultant’s “not-exceed” fee** as is more particularly described in Section 1 of this First Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of **June 30, 2023** is extended by this Amendment to **June 30, 2025**.

1.2 The total “Not-to-Exceed” fee for this contract is **\$550,000.00 (\$50,000.00 for the original Agreement plus \$500,000 for this First Amendment)** pursuant to Exhibit “C” of the original agreement.

SECTION 2

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

SECTION 3

3.1 In the event any action, suit or proceeding is brought for the enforcement of, or the declaration of any right or obligation pursuant to this Amendment or as a result of any alleged breach of any provision of this Amendment, the prevailing party in such suit or proceeding shall

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES
(DESIGN PROFESSIONAL SERVICES)

be entitled to recover its costs and expenses, including reasonable attorney's fees, and any judgment or decree rendered in such a proceeding shall include an award thereof.

SECTION 4

4.1 This Amendment may be executed in several counterparts, each of which shall be deemed to be an original and shall constitute one and the same instrument and shall become binding upon the Parties when at least a copy hereof shall have been signed by the Parties hereto. All electronic signatures shall be deemed to be one and the same as original signatures.

SECTION 5

5.1 In the event there exists any conflicts between the terms of this Amendment and the Agreement, the terms of this Amendment shall be superseding.

SIGNATURE PAGE TO FOLLOW

FIRST AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES
(DESIGN PROFESSIONAL SERVICES)

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

City of Moreno Valley

Civic Solutions, Inc.

By: _____

By: _____

Mike Lee, City Manager

Title: _____

(President of Vice President)

Date: _____

Date: _____

<u>INTERNAL USE ONLY</u>	
APPROVED AS TO FORM:	

City Attorney	

Date	
RECOMMENDED FOR APPROVAL:	

Department Head	

Date	

By: _____

Title: _____

(Corporate Secretary)

Date: _____

Attachment: First Amendment to Agreement - Civic Solutions [Revision 2] (6099 : APPROVAL OF FIRST AMENDMENT TO AGREEMENT WITH



Report to City Council

TO: Mayor and City Council

FROM: Mike Lee, City Manager

AGENDA DATE: February 21, 2023

TITLE: COLLEGE PROMISE MEMORANDUM OF UNDERSTANDING

RECOMMENDED ACTION

Recommendations:

1. Approve the Memorandum of Understanding (MOU) between the City of Moreno Valley (City) and the Riverside Community College District Foundation acting on behalf of Moreno Valley College (College) allowing for the allocation of \$100,000 to support the College Promise Initiative for two academic years.
2. Authorize the City Manager to execute the MOU as to form and all necessary documents with the College.

SUMMARY

This report recommends an approval of the MOU between the City of Moreno Valley and the Riverside Community College Foundation for the continuation of the College Promise Initiative operated by Moreno Valley College. The report outlines the duties of the parties and authorizes the expenditure from the City to the College in the amount of \$50,000 for fiscal year 2023-2024 and 2024-2025 for a total of \$100,000.

DISCUSSION

On August 15, 2017, the Moreno Valley City Council approved an MOU with the Riverside Community College District making a \$50,000 commitment to Moreno Valley students enrolled at Moreno Valley College through the College Promise Initiative. Since that time the City Council has supported the program with an annual \$50,000 commitment solidifying a strong partnership between the City and the College to support students as they pursue their educational goals to receive an Associate's degree, transfer to a four-year university and/or complete eligible Career and Technical

Education programs.

The College Promise program, also known as the First Year Experience Program, provides a bridge allowing Moreno Valley high school students enrolled at Moreno Valley Unified and Val Verde Unified School Districts to successfully transfer into College life. The program provides for gap funding to offset first year college expenses such as tuition, fees and textbooks. Serving some of the neediest students on campus, many of whom are the first in their families to attend college, the program also offers advanced services such as access to counselors and student support services.

The program serves as a prime example of the positive benefits to the individual and the community at large when key institutions partner for student success. As such, the program was awarded a 2018 Program Award of Excellence by the California Association for Local Economic Development (CALED) reinforcing the City's investment in students as a key economic engine driving the local economy.

As the Coronavirus pandemic continues to affect local economies, the College Promise Initiative is more critical than ever as California's Community College students prove to be more vulnerable as they manage family, school and work responsibilities making them more susceptible to dropping out and in need of support services like online tutoring, virtual mental health services, academic counseling and social services like on-campus food pantries.

The College Promise program provides much needed support to Moreno Valley College students at a time of great uncertainty allowing for students to stay connected to school, critical support services and a future made more secure with education.

ALTERNATIVES

1. Approve the attached MOU and authorize staff to execute all necessary documents with the College for the operation of the College Promise Program. This alternative will allow for the continued partnership and support to eligible Moreno Valley residents enrolled at Moreno Valley College and support the City's economic and workforce efforts to increase educational attainment and train the future workforce. Staff recommends this alternative.
2. Decline to approve the attached MOU and decline to authorize staff to execute the supporting documents. This alternative will result in the end of the City's financial support for the College Promise program and result in reduced funding for eligible Moreno Valley residents seeking to benefit from the program and may result in an ultimate reduction in completion rates at the College. Staff does not recommend this alternative.

FISCAL IMPACT

Funding to operate the College Promise Initiative to be included in the City’s 2023-2024/2024-2025 budget (Community Foundation funds). No additional funds are required.

NOTIFICATION

Publication of the Agenda

PREPARATION OF STAFF REPORT

Prepared By:
Keith Gemmell
Business & Workforce Development Division Manager

Department Head Approval:
Mike Lee
City Manager

CITY COUNCIL GOALS


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

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

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

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

- 1. Memorandum of Understanding

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 7:57 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:25 AM

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
THE CITY OF MORENO VALLEY,
RIVERSIDE COMMUNITY COLLEGE DISTRICT FOUNDATION
AND
MORENO VALLEY COLLEGE**

MORENO VALLEY COLLEGE PROMISE INITIATIVE

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into this _____ day of February 2023, by and between the City of Moreno Valley (“City”), the Riverside Community College District Foundation (“RCCD Foundation”) and Moreno Valley College (“College”), collectively referred herein as “the Parties.”

RECITALS

WHEREAS, the Moreno Valley College Promise Initiative ensures that a college degree is an achievable goal for students in need and provides enrolled students financial assistance and ongoing academic guidance; and

WHEREAS, the Promise Initiative for the 2023-24and 2024-25 academic years is a commitment to help students complete their associate degree requirements, transfer requirements, and/or workforce certificate requirements in a timely and efficient manner; and

WHEREAS, donations for the Promise Initiative are accepted through the RCCD Foundation; and

WHEREAS, the Parties have a mutual interest in providing the residents of Moreno Valley with educational opportunities and advancement for the purpose of improving the quality of life for residents and the community at large and the Parties also mutually believe education is the greatest pathway to greater success and opportunity; and

WHEREAS, although the College provides a quality education for students at a relatively affordable cost, many residents still find it difficult to pay such costs due to the challenges presented by the COVID-19 Pandemic and other economic challenges beyond their control; and

WHEREAS, the Moreno Valley City Council desires to enhance local residents’ access to a college education, in recognition of the overall benefits a higher number of college educated residents bring to the community at large; and

WHEREAS, in light of the foregoing, the City Council has determined that it serves a legitimate governmental purpose to enhance and facilitate local residents’ access to the educational opportunities provided by the College through the City’s participation, sponsorship and support of the College’s Promise Initiative.

Attachment: Memorandum of Understanding (6106 : COLLEGE PROMISE MEMORANDUM OF UNDERSTANDING)

NOW THEREFORE, the Parties understand and agree as follows:

Section 1. General Terms and Conditions

The following terms and conditions shall apply to the funds described in this MOU:

The City shall donate via the RCCD Foundation a total of FIFTY THOUSAND DOLLARS (\$50,000) per academic year to the Moreno Valley College Promise Initiative to be used as source of financial aid and assistance for residents of Moreno Valley who are currently enrolled as Moreno Valley College students and participants in the College Promise Initiative.

a) Any financial aid or assistance provided to an eligible student pursuant to the terms and conditions of this MOU may only be used to pay the cost of tuition/registration and books not covered by other public or private financial aid/assistance programs.

b) An eligible student be a resident of the City for the twelve (12) consecutive months preceding the date the student applies for any financial aid or assistance provided under this MOU, and the student shall remain a current resident of the City during the academic year in which he or she has received any funding under this MOU.

c) To maintain eligibility for any financial aid or assistance under this MOU, an eligible student must be in good standing at the College (not on suspension, expelled, etc.) and maintain compliance with all applicable requirements and standards set forth in the Promise Initiative.

d) Any eligible student who receives any financial aid or assistance under this MOU must complete the academic period for which funding has been received in good standing (not on suspension, expelled, etc.).

e) If a student, who has received funding under this MOU, does not complete the academic period for which funding has been received in good standing, the student shall be deemed ineligible to apply for and receive any additional financial aid or assistance under this MOU.

Section 2. RCCD Foundation and College Responsibilities

The RCCD Foundation and the College shall have the following responsibilities:

a) The RCCD Foundation and/or the College shall be responsible for determining eligibility, awarding and distributing the funds provided under this MOU to eligible students.

b) The College shall determine specifically how the funds may be used by an eligible student consistent with the applicable terms and conditions of this MOU.

c) The College shall collect certain data pertaining to the eligible students who receive

assistance under this MOU, related to the students' academic success rates, demographics, and use of funds. Such data shall be provided to the City on a periodic basis as determined by City, which the City shall use for auditing purposes and for determining whether the City needs to make any necessary revisions to the financial aid and assistance program as set forth and described in this MOU for subsequent academic years.

d) The College shall require all eligible students prior to being awarded any funds under this MOU to execute a FERPA release and waiver that will allow the College to collect the necessary information for the data the College is obligated to provide to the City under this MOU.

e) The College shall provide the City with a Partnership Letter acknowledging the City's contribution to and participation in the Promise Initiative.

f) The College shall provide regular updates to the City and the City Council on the impact this MOU has on the students who have receive funding under the terms and conditions of this MOU.

g) The College shall provide both academic counseling and financial aid guidance to eligible students to ensure that the financial aid and assistance set forth in this MOU are made available to those promising students with an urgent need of financial support for tuition/registration and/or textbooks.

Section 3. Indemnification

Except as to the sole negligence or willful misconduct of the City, the RCCD Foundation and the College agree to indemnify, protect and hold harmless the City from and against any claim for damage, charge, lawsuit, action, judicial, administrative, regulatory or arbitration proceeding, damage, cost, expense (including counsel fees), judgement, civil fine and penalties, liabilities or losses of any kind, whether actual, threatened or alleged, which arise out of, pertain to, or relate to, or are a consequence of the performance of or under this MOU. This indemnification shall apply to any acts, omissions, negligence, recklessness, or willful misconduct, whether active or passive, on the part of the College or anyone employed by or working on behalf of the College.

Section 4. Entire Understanding

This MOU constitutes the final, complete and exclusive statement of the terms of the understanding between the City, the RCCD Foundation, and the College pertaining to the subject matter of this MOU, and supersedes all prior and contemporaneous understandings or agreements of the Parties.

Section 5. Amendments

This MOU may be modified or amended only by a signed, written agreement executed by

the City, the RCCD Foundation, and the College.

Section 6. Term

The term of the MOU shall be two years designated to cover the 2023-24 and 2024-25 academic years.

Section 7. Waiver

No action or failure to act by either Party shall constitute a waiver of any right or duty afforded under this MOU, nor shall any such action or failure to act constitute approval of or acquiescence in any breach thereafter, except as may be specifically agreed in writing.

Section 8. California Law

This MOU shall be governed by and construed in accordance with the laws of the State of California.

Section 9. Venue

Any action at law or in equity brought by either of the Parties for the purpose of enforcing this MOU shall be brought in a court of competent jurisdiction in the County of Riverside, California, and the Parties hereby waive all provisions of law providing for a change of venue to any other county.

IN WITNESS WHEREOF, the City, the College and the RCCD Foundation have caused this MOU to be duly executed as of the day and year as first written above.

Mike Lee, City Manager
City of Moreno Valley

Dr. Robin Steinback, President
Moreno Valley College

Wendy Johnson, Interim Executive Director
RCCD Foundation

Attest:

Approved as to form:

Jane Halstead, City Clerk
City of Moreno Valley

Steve Quintanilla, Interim City Attorney
City of Moreno Valley



Report to City Council

TO: Mayor and City Council

FROM: Mike Lee, City Manager

AGENDA DATE: February 21, 2023

TITLE: MARCH JOINT POWERS AUTHORITY SUNSETTING AGREEMENTS

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Authorize the execution of the Fourteenth Amendment to the Joint Powers Agreement among the Member Agencies ("Fourteenth Amendment") relating to March Joint Powers Authority ("Authority") in substantial conformance to the form attached herewith as Exhibit A;
2. Authorize the execution of a Tax and Revenue Sharing Agreement ("Agreement") among the Cities of Moreno Valley, Perris, and Riverside ("Cities") and the County of Riverside ("County") (collectively known as "Member Agencies") in substantial conformance to the form attached herewith as Exhibit B; and
3. Authorize the City Manager to execute subsequent amendments to effectuate said agreements.

BACKGROUND

The Authority was established in 1993 through a Joint Powers Agreement between the Member Agencies that include the Cities of Moreno Valley, Perris, and Riverside and the County of Riverside. The purpose of the Authority was to ensure the effective reuse of the former March Air Force Base, which was realigned from an active-duty base to a reserve base. Among the primary objectives for forming the Authority was to prevent the loss of thousands of jobs and millions of dollars, ensure the long-term viability of the airport, and facilitate economic development within the region. The former air base served as a critical economic generator for the region and in order to preserve its function as an operational, joint-use airfield, the Authority was granted land use and public utility authority, and was later designated as the Successor Agency and March

Inland Port Airport Authority. The Authority was also tasked with the provision of municipal services to the Authority area.

To date, the Authority has successfully overseen the reuse of many properties within the 3,500-acre area. Tens of millions of dollars have been invested into development projects and improvements to critical infrastructure, including projects like the Heacock Channel, airport infrastructure projects and airport property improvements such as the VIP-215 Freeway Business Center and the Lateral B right of way project that will complete Riverside County's Perris Valley Drainage Plan. The Authority is also overseeing development of various development projects which provides extensive mixed-use, commercial, industrial, and open space uses. These projects have helped generate thousands of jobs, expanded commercial, industrial, and recreational uses, and helped protect vital infrastructure that serves the greater region and the March Air Reserve Base. Based on a presentation provided by the Authority, more than 12,000 jobs have been created with 7,000 more expected, and more than \$15 million generated in mitigation impact fees. The Authority continues to support the economic growth of the area and is currently overseeing about 1,000 acres of development still in progress, including significant development of airport property for commercial uses.

DISCUSSION

The Authority has been very successful in achieving its mission, with most of the remaining properties under contract and the Airport stabilized and performing well. Recognizing this milestone in the strategic repositioning of the former Base, the March Joint Powers Commission directed staff to commence the process to sunset the Authority and divide assets among the Member Agencies where possible. At the time of formation, the Member Agencies did not formalize a process for the sunseting of the Authority and therefore the Commission utilized the Authority Technical Advisory Committee ("TAC") to help guide the process for sunseting, including distribution of assets and protection of existing contracts and responsibilities.

Since late 2020, the TAC, which includes representatives from each Member Agency, has been in discussions on how to best sunset the Authority. These discussions have led to the development of the Tax and Revenue Sharing Agreement and the Fourteenth Amendment to the Joint Powers Agreement, described in detail below. Together, these documents outline the distribution of land sale assets, which have been collected by the Authority, and tax revenues, which have been collected by the County of Riverside. The documents also provide direction for the transfer of non-airport duties to the County and the retention of the March Inland Port Airport Authority as the agency responsible for continued airport operations.

The Fourteenth Amendment to the Joint Powers Agreement

The Fourteenth Amendment ("Amendment") addresses the future completion of the land use redevelopment phase of the original Joint Powers Agreement purpose. The Amendment also transitions the Member Agencies into a new phase of inter-governmental cooperation in the operation and management of the March Inland Port

Airport. On July 1, 2025, the Fourteenth Amendment triggers the following changes to the governance of the Authority's boundary:

- Removes the Authority's land use and municipal service obligations, leaving those obligations to the County because the Authority's boundary is unincorporated. Compensation to the County for assuming these obligations, as well as distribution of tax revenues, is outlined in the Tax Sharing and Revenue Agreement.
- Retains the March Inland Port Airport Authority as the entity responsible for the continuing management and operation of March Inland Port Airport. The Fourteenth Amendment also grants to the Airport Authority all the rights, powers, and duties related to the operation of the March Inland Port Airport, including authority for airport master planning and authority to collect and retain, for airport purposes, any and all lease revenues from airport properties.
- Transitions the March Inland Port Airport Authority to serve as the Successor Agency of the former March Joint Powers Redevelopment Agency to ensure that bond debt reporting and repayment activities are unaffected.
- Any fund balance, revenues, land sale proceeds, rents, profits or issues derived by, or on behalf of the Authority that are not required as part of the Fourteenth Amendment are to be shared and distributed equally to the parties in the agreement (County of Riverside, City of Perris, City of Riverside, City of Moreno Valley). Based on preliminary estimates, Authority staff anticipates having roughly \$87 million in existing assets and incoming land sale payments between 2022-2035, which would be distributed equally above any costs required for Authority administration.

The Tax and Revenue Sharing Agreement

With the transition of the Authority to an Airport Authority, tax revenues currently collected by the County as well as certain assets held by the Authority will be available for distribution among the Member Agencies. To determine how the funds shall be distributed and to compensate the County for the cost of providing municipal services, the Member Agencies have worked together to develop the proposed Tax and Revenue Sharing Agreement ("Agreement").

Under the Agreement, the County and Cities would divide revenues currently collected by the County, starting in Fiscal Year ("FY") 2023/24. As outlined in Section 2 of the proposed Agreement, the revenues subject to distribution include the following:

- The County's share of residual Redevelopment Property Tax Trust Fund ("RPTTF") revenues, net of the County's cost of services provided in the Authority area,
- Sales Taxes collected on properties within the Authority area,
- Transient Occupancy Taxes ("TOT") collected on hotels within the Authority area, and

- Franchise Fees collected within the Authority area

The Member Agencies have agreed that a portion of RPTTF revenues shall be given to the County for providing services in an amount based on the actual cost of services in FY 2020/21 (estimated at \$2.4 million) and increased annually by the rate of increase in local Consumer Price index (“CPI”).

An additional portion of RPTTF revenues shall be paid to the Cities of Moreno Valley and Riverside to reimburse those Cities for RPTTF lost due to constituent property owners within the Authority boundary . The remaining RPTTF shall be split between all members with the County receiving 75% and the Cities splitting 25% equally (8.33% per member City).

Sales Taxes, TOT, and Franchise Fees shall be split equally among all Member Agencies (25% each).

Table 1 below provides an estimate of how much each Member Agency could expect to receive in the first year of the Agreement, FY 2023/24.

Property Taxes: RSG estimates that the Authority area will generate approximately \$11.1 million in RPTTF in FY 2023/24. County service costs estimated at \$2.6 million and replenishment RPTTF of \$832,914 for City of Moreno Valley and \$783 for City of Riverside will be taken off the top of the total RPTTF. The remaining property tax will be split with the County receiving 75%, roughly \$5.7 million, and each City receiving 8.33%, roughly \$638,126.

Sales Taxes, TOT, and Franchise Fees are estimated at \$4.9 million for FY 2023/24, which split evenly among the Member Agencies is about \$1.2 million each.

These estimates are based on actual FY 2021/22 Apportionment Reports published by the Riverside County Auditor Controller to calculate RPTTF, Authority financial reports on TOT and Franchise Fee estimates, as well as Sales Tax estimates provided by the County and have been inflated to account for growth in FY 2023/24. It should be noted that these projections may vary dependent on market fluctuations and rate of economic growth within the Authority area.

Table 1: Total funds distributed in the first year of the Agreement

Member Agency	FY 2023-24
County (net of County service costs)	\$ 6,968,533
Moreno Valley	\$ 2,696,436
Perris	\$ 1,863,522
Riverside	\$ 1,864,305

Subtotal	\$ 13,392,796
-----------------	----------------------

1. RPTTF shall be distributed in January of each year and other revenues in June.
2. These amounts do not include land sale proceeds, which shall be split evenly among the Agencies.

The Agreement shall remain in effect until August 1, 2041, at the time that the Successor Agency's debt service is retired. At the expiration of the Agreement term, the Member Agencies may proceed with efforts to annex Authority territories or they could agree to extend the Agreement.

Annexations: The Member Agencies have agreed not to engage in efforts to annex territories or encourage the third-party private annexation of territories throughout the duration of the Agreement. Any member who disregards this part of the Agreement shall be required to reimburse to the County any payments made under this Agreement to date and shall not receive any further payments. The County shall redistribute the reimbursement equally among all non-violating Member Agencies. If any third-party initiates annexation of Authority property into one of the City jurisdictions, the Member Agency annexing that property shall pay to the County any property, sales, or transient occupancy taxes generated by the property, which the County shall distribute among all remaining Member Agencies in accordance with this Agreement's formula.

Each Member Agency is responsible for their own compliance with the conditions of the Agreement. The County shall be responsible for issuing payments to each of the Cities for their shares of tax revenues on a twice-annual basis, with payments due on or before April 1st and October 1st of each year. The first payment under the Agreement is scheduled to be made on or before April 1, 2024, for receipts during the period July 1 through December 31, 2023.

The Fourteenth Amendment and the Tax and Revenue Sharing Agreement become effective on the date the later of the following events occur:

1. The execution of the Fourteenth Amendment by all the Member Agencies;
2. The execution of the Agreement by all the Member Agencies; or
3. The execution of an amendment to the Municipal Services Agreement between the County and the Authority to end County payments to the Authority.

ALTERNATIVES

1. Authorize the execution of the Fourteenth Amendment to the Joint Powers Agreement, Authorize the execution of a Tax and Revenue Sharing Agreement, and Authorize the City Manager to execute subsequent amendments. **THIS ALTERNATIVE RECOMMENDED BY STAFF**
2. Decline to authorize the execution of the Fourteenth Amendment to the Joint Powers Agreement and the Tax and Revenue Sharing Agreement.

FISCAL IMPACT

It is estimated that the City of Moreno Valley will receive approximately \$2.6 million in

FY 2023/24, increasing thereafter as more tax generating businesses open within the Authority territory. Additional one-time revenues from land sale proceeds can generate upwards of \$22.25 million.

PREPARATION OF STAFF REPORT

Prepared By:
Michele Patterson
Economic Development Manager

Department Head Approval:
Mike Lee
City Manager

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Public 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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. MJPA Agreement Fourteenth Amendment
2. MJPA Tax and Revenue Sharing Agreement

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 8:01 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:30 AM



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: AUTHORIZE THE PURCHASE OF AN ELECTRIC CARGO VAN FOR THE SOLID WASTE PROGRAM

RECOMMENDED ACTION

Recommendations:

1. Authorize the purchase of a 2022/2023 Electric Cargo Van to support the Solid Waste & Recycling program.
2. Authorized the Purchasing & Sustainability Division Manager to issue a Purchase Order to a vendor that has an Electric Cargo Van for sale that meets the needed specifications for \$75,000 plus sales tax, shipping, and modifications.
3. Authorize the City Manager or designee to execute the sales agreement and any needed amendments with the selected vendor that has an Electric Cargo Van, with required specifications, available for sale.
4. Authorize the use of the sole source procurement process since inventory and manufacturers Electric Cargo Van's are extremely limited.

SUMMARY

This report recommends City Council's approval to purchase a 2022/2023 Electric Cargo Van (EV Van) for the Solid Waste & Recycling Program for \$75,000 (plus tax, shipping, and modifications), authorize the Purchasing & Sustainability Division Manager to issue a Purchase Order to the selected vendor using the sole source procurement process, and authorize the City Manager or designee to execute the sales agreement.

This purchase is recommended to be funded with existing Council approved FY22/23 General Fund (1010) budget allocated for the Solid Waste & Recycling program.

DISCUSSION

In recent years, the State of California has expanded its recycling efforts through various mandates that has had a direct impact on local municipalities. These mandates have required the expansion of the City's solid waste & recycling programs. In an effort to meet requirements set by the State and enforced by Calrecycle, the Solid Waste & Recycling team has enhanced its marketing and educational efforts by increasing visibility in the community and at City events. The promotional and educational materials have grown, as additional recycling programs were added, needing more space to transport those items.

Currently, the Solid Waste & Recycling team has a 2018 Ford Taurus sedan assigned to assist the team with its outreach efforts. During staff's assessment of the type of vehicle that would best support the program, a van was determined to best meet the needs of the program. And, to coincide with enhancing environmentally friendly efforts and align with regulatory requirement an EV Van was selected.

During the initial search of available inventory of EV Van's, staff verified there wasn't sufficient inventory available nationwide. Considering that an extended lead time will be required to procure this vehicle, staff is requesting authority to procure an EV Van, when one is located that meets the required specifications needed to best support the program. It was also determined that EV Vans can retail for \$50,000 - \$70,000, not including taxes, modifications, or shipping, if needed.

Because these vehicles appear to be a sought-out commodity and of limited availability, staff is requesting the use of a sole source procurement process, bypassing the need for a formal bid solicitation. Staff is also requesting pre-authorization to purchase the vehicle before the vendor is known, allowing for a faster turnaround to make payment once a vehicle is located. Manufacturers of EV Van's are only allowing for limited orders and with current wait lists, the lead time on receiving pre-orders are 18-24 months. As those lead times are not feasible for current operations, staff has found a few dealerships that have very limited inventory of used EV Van's with very low mileage (6,000 or less), that may meet the needs of the program. Either way, when a vehicle is located (pre-order or used), staff will need to procure the vehicle as fast as possible, to beat out other potential buyers.

If granted authority, Solid Waste and Fleet staff will make every effort to find the most competitive pricing and highest quality equipment, with the best value.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this action as it will allow the City to procure the vehicle more efficiently as inventory becomes available.*
2. Reject any or all of the recommended actions as presented in this staff report. *Staff*

does not recommend this action as it makes it difficult to procure the needed vehicle.

FISCAL IMPACT

With City Council’s approval of the FY22/23 General Fund budget allocation for the Solid Waste & Recycling program, staff is not requesting an additional appropriation for this purchase.

NOTIFICATION

None.

PREPARATION OF STAFF REPORT

Prepared By:
Felicia London
Purchasing & Sustainability Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager/CFO/Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

- 1. 2023 Ford E-Transit 350 Low Roof RWD - \$73,525
- 2. 2022 Ford E-Transit Cargo Van North Hills, Los Angeles, CA \$66,012

APPROVALS


Budget Officer Approval	<u>✓ Approved</u>	2/15/23 1:55 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 2:12 PM


Buy Sell Finance Research

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All results

 \$52,499

 \$52,565

2023 Ford E-Transit 350 Low Roof RWD - \$73,525

Woodland Hills, CA



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Hello, my name is

and

I'd like to know your best ...

Ford E-Transit. I'm in the area.

You can reach me by email at

or

by phone at

Thank you!

+ Add comments

Features

Mileage

Drivetrain



2023 Ford E-Tra...

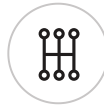
Mileage: 32 ·
Woodland Hills, CA

\$73,525

Attachment: 2023 Ford E-Transit 350 Low Roof RWD - \$73,525 (6134 : AUTHORIZE THE PURCHASE OF AN ELECTRIC CARGO VAN FOR THE



Fuel type
Electric



Transmission
Automatic



Battery range
126 mi



Bluetooth

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Overview



Make:	Ford
Model:	E-Transit
Year:	2023
Trim:	350 Low Roof RWD
Body type:	Van
Exterior color:	White
Interior color:	Gray
Mileage:	32 mi
Condition:	New
VIN:	1FTBW1YK9PKA43379
Stock number:	230043

Battery specs



2023 Ford E-Tra...

Mileage: 32 ·
Woodland Hills, CA

\$73,525

Attachment: 2023 Ford E-Transit 350 Low Roof RWD - \$73,525 (6134 : AUTHORIZE THE PURCHASE OF AN ELECTRIC CARGO VAN FOR THE



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2022 Ford E-Transit Cargo Van T-350 148" EL HI RF 9500 GVWR RWD near Los Angeles, CA

- Exterior Oxford White
- Interior DARK PALAZZO GRAY

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Mileage: 1,459 **Stock #:** PL221227
Drivetrain: Rear Wheel Drive **Fuel Type:** Electric
Ext. Color: Oxford White **VIN:** 1FTBW3XK2NKA05146
Trans: 1-SPEED **Location:** Galpin Ford Used
TRANSMISSION
Int. Color: DARK PALAZZO ...

Vehicle Location **Map** **Call Us**
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Attachment: 2022 Ford E-Transit Cargo Van North Hills, Los Angeles, CA \$66,012 (6134 : AUTHORIZE THE PURCHASE OF AN ELECTRIC



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 - **Bluetooth® Wireless Phone Connectivity**
 - **Radio w/Seek-Scan, Clock and Steering Wheel Controls**
 - **Streaming Audio**
- INTERIOR
 - **Fixed Antenna**
- MECHANICAL
- SAFETY
- EXTERIOR
- TECH SPECS

Vehicle Disclaimer

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Attachment: 2022 Ford E-Transit Cargo Van North Hills, Los Angeles, CA \$66,012 (6134 : AUTHORIZE THE PURCHASE OF AN ELECTRIC





Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2022

RECOMMENDED ACTION

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2022, in compliance with the City's Investment Policy.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended December 31, 2022. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

DISCUSSION

The City maintains a portfolio of investments in order to earn interest on cash balances that are not currently required to fund operations. California Government Code Sections 53601 and 53646 establish the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the reporting practices related to the portfolios of local agencies. In keeping with best practices, the City has implemented an Investment Policy, which was last reviewed by the City Council on June 21, 2022. The policy is in full compliance with the requirements of both of the above-mentioned Code Sections.

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended December 31, 2022. The report complies with California

Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City’s Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City’s investment policy has set the primary goals of the portfolio management as Safety and Liquidity followed by Yield. The City’s cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City’s pooled investment funds with the Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment.

The table shows some of the key portfolio measures for the month.

	Portfolio Balance	Avg. Yield to Maturity Trends		
		December 2022	November 2022	December 2021
Investments	219,057,237	1.62%	1.60%	1.32%
LAIF	150,798,931	2.173%	2.007%	0.212%

Bond proceeds are held and invested by a Trustee. The investment of these funds is governed by an investment policy approved by the City Council as a part of the governing documents for each specific bond issue. Deferred Compensation Plan funds are not included in the report since these funds are held and invested by the respective plan administrators based on the direction of the participating employees. These funds are placed in a trust separate from City funds.

ALTERNATIVES

1. Receive and file the Quarterly Investment Report for December 31, 2022. **Staff recommends this alternative as it accomplishes timely investment reporting.**
2. Do not accept and file the Quarterly Investment Report and provide staff with additional direction. **Staff does not recommend this alternative as it will not accomplish timely investment reporting.**

FISCAL IMPACT

For additional information regarding the bond market, please see the attached Bond Market Review provided by Chandler Asset Management.

NOTIFICATION

Publication of the agenda

PREPARATION OF STAFF REPORT

Prepared By:
Annabelle Wang
Financial Operations Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager

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. 2022-12 Investment Report
2. CAM-Newsletter-December-2022

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

3. Investment Report - December 2022

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 8:01 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:24 AM

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report
December 2022

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity (in years)	Average Yield to Maturity	Average Duration (in years)
Bank Accounts	3,438,349	3,438,349	3,438,349			
State of California LAIF Pool	150,798,931	147,992,451	150,798,931	0.80	2.173%	
Public Agency Retirement Services (PARS)	5,000,000	4,950,292	5,000,000	0.08	2.36%	
Investments	219,593,902	206,441,975	219,057,237	2.39	1.62%	2.26
Total General Portfolio	378,831,182	362,823,067	378,294,517			
Total Funds with Fiscal Agents		4,757,674				
Total Investment Portfolio		367,580,741				

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the investments in the General Portfolio are provided by the City's investment advisors.
3. The market value for LAIF is provided by the State Treasurer's Office.
4. The market values for investments held by fiscal agents are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

/S/ Brian Mohan
 City Treasurer

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

PORTFOLIO PERFORMANCE - 36 MONTH TREND

Period	Total General Portfolio (1)		Local Agency Investment Fund (LAIF)		Public Agency Retirement Services (PARS)		Chandler Asset Management (CAM)			
	Asset Balance (par)	Avg YTM (2)	Balance	Yield	Balance	Yield	Asset Balance (par)	Weighted Avg YTM (2)	Rate of Return (3)	
									Investment Portfolio (4)	Benchmark Gov(5)
Jan 20	229,167,101	1.94%	55,970,504	1.967%			158,699,920	2.12%	4.87%	4.91%
Feb 20	230,049,439	1.99%	66,570,054	1.912%			158,969,268	2.09%	5.79%	6.00%
Mar 20	225,363,037	1.94%	62,570,054	1.787%			159,105,226	2.06%	5.56%	6.45%
Apr 20	225,445,326	1.85%	62,878,795	1.648%			159,403,581	2.04%	6.06%	6.63%
May 20	219,117,777	1.77%	55,278,795	1.363%			159,679,729	1.97%	5.69%	5.90%
Jun 20	236,772,134	1.68%	72,778,795	1.217%			160,035,042	1.95%	5.34%	5.32%
Jul 20	226,372,547	1.60%	61,612,184	0.920%			160,406,297	1.93%	5.67%	5.70%
Aug 20	223,935,560	1.57%	58,612,184	0.784%			160,692,610	1.90%	4.65%	4.45%
Sep 20	218,568,986	1.54%	53,112,184	0.685%			161,062,847	1.87%	4.82%	4.68%
Oct 20	215,409,591	1.53%	49,242,648	0.620%			161,363,505	1.85%	4.43%	4.23%
Nov 20	219,911,125	1.45%	52,542,648	0.576%			161,645,491	1.79%	4.60%	4.43%
Dec 20	222,707,950	1.41%	56,542,648	0.540%			162,067,058	1.75%	4.59%	4.36%
Jan 21	247,976,895	1.26%	76,625,187	0.458%			162,426,675	1.72%	3.70%	3.42%
Feb 21	261,300,356	1.19%	92,625,187	0.407%			162,768,446	1.68%	2.27%	1.89%
Mar 21	252,962,115	1.18%	83,325,187	0.357%			163,251,768	1.64%	1.56%	0.49%
Apr 21	258,986,067	1.14%	83,309,833	0.339%			163,515,676	1.64%	1.10%	0.34%
May 21	295,505,179	1.01%	122,550,449	0.315%			163,706,976	1.59%	0.83%	0.25%
Jun 21	300,785,514	0.95%	129,050,449	0.262%			164,046,885	1.54%	0.31%	-0.09%
Jul 21	289,495,404	0.96%	110,832,982	0.221%			174,080,540	1.45%	0.39%	0.04%
Aug 21	286,942,097	0.93%	106,832,983	0.221%			174,309,851	1.40%	0.29%	0.01%
Sep 21	288,344,781	0.92%	106,832,983	0.206%			174,624,047	1.38%	0.02%	-0.27%
Oct 21	288,711,262	0.91%	106,900,067	0.203%			174,923,444	1.38%	-0.42%	-0.63%
Nov 21	294,654,846	0.92%	100,300,067	0.203%			184,906,704	1.35%	-0.62%	-0.71%
Dec 21	294,627,511	0.94%	92,300,067	0.212%			195,311,898	1.32%	-0.95%	-1.05%
Jan 22	294,969,319	0.94%	92,358,252	0.234%			195,595,521	1.30%	-1.88%	-1.92%
Feb 22	324,897,541	0.98%	107,358,252	0.278%			205,732,226	1.34%	-2.02%	-2.01%
Mar 22	325,131,296	0.99%	107,658,252	0.365%			206,012,398	1.35%	-3.64%	-3.70%
Apr 22	324,515,844	1.06%	107,738,556	0.523%			206,412,804	1.36%	-4.72%	-4.76%
May 22	346,565,395	1.12%	115,338,556	0.684%			216,762,042	1.40%	-4.39%	-4.33%
Jun 22	383,476,803	1.19%	162,579,173	0.861%			217,107,439	1.40%	-4.79%	-4.74%
Jul 22	369,199,807	1.28%	141,304,379	1.090%			217,349,391	1.44%	-4.38%	-4.36%
Aug 22	370,452,358	1.41%	146,304,379	1.276%			217,602,629	1.48%	-5.38%	-5.50%
Sep 22	372,470,167	1.54%	151,304,379	1.513%			217,877,998	1.51%	-6.67%	-6.91%
Oct 22	380,053,901	1.69%	149,798,931	1.772%			218,428,420	1.59%	-6.48%	-6.66%
Nov 22	376,300,861	1.80%	145,798,931	2.007%			218,675,380	1.60%	-5.30%	-5.59%
Dec 22	373,294,517	1.93%	150,798,931	2.173%	5,000,000	2.360%	219,057,237	1.62%	-4.99%	-5.30%

Notes:

(1) Total General Portfolio includes all assets that comprise the City's Investment Portfolio which is LAIF as well as assets managed by Chandler Asset Management.

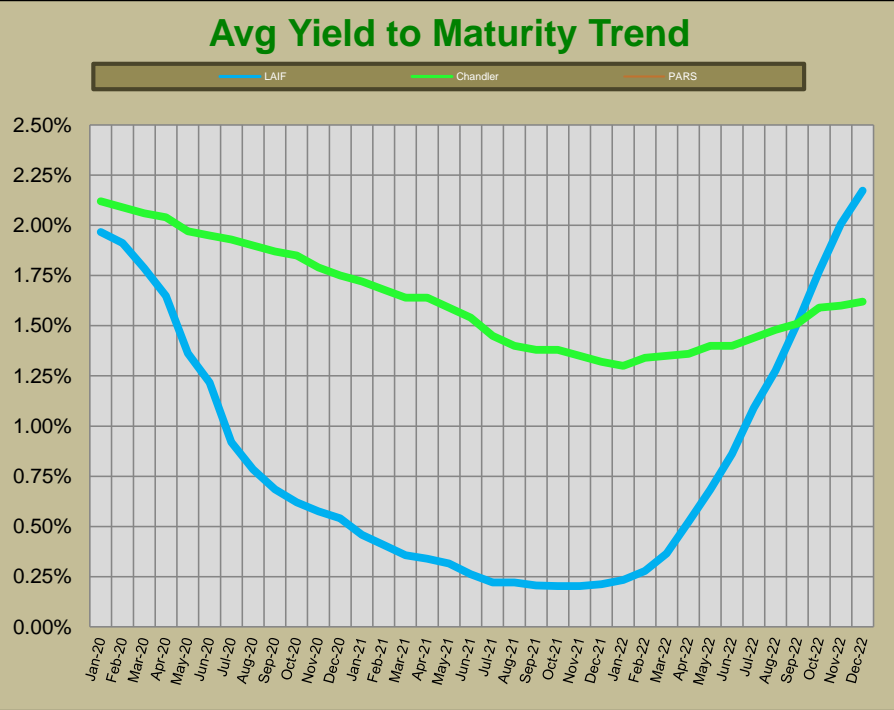
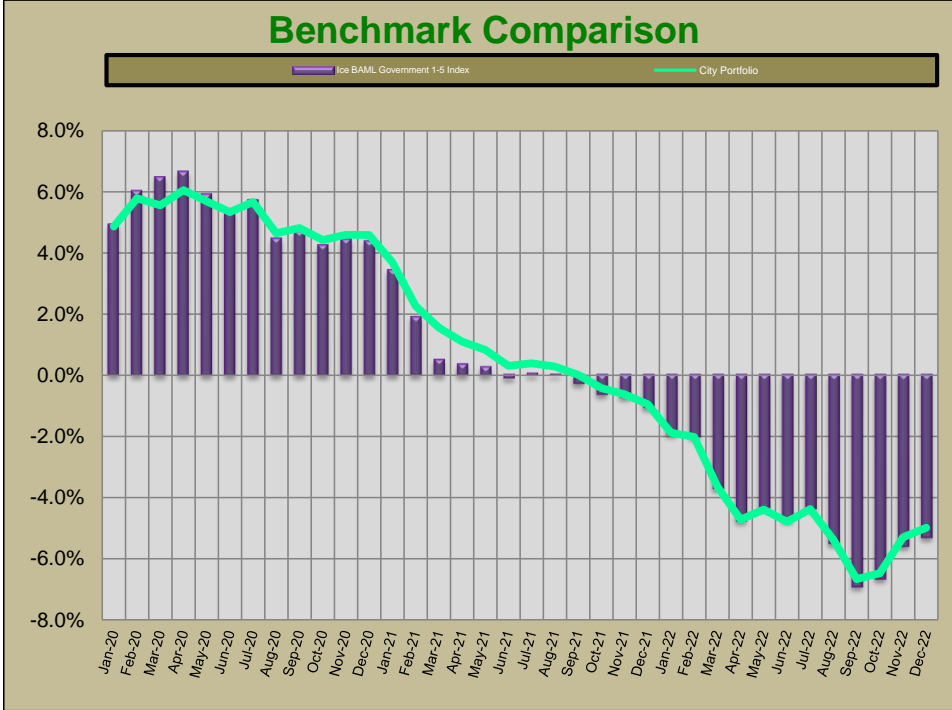
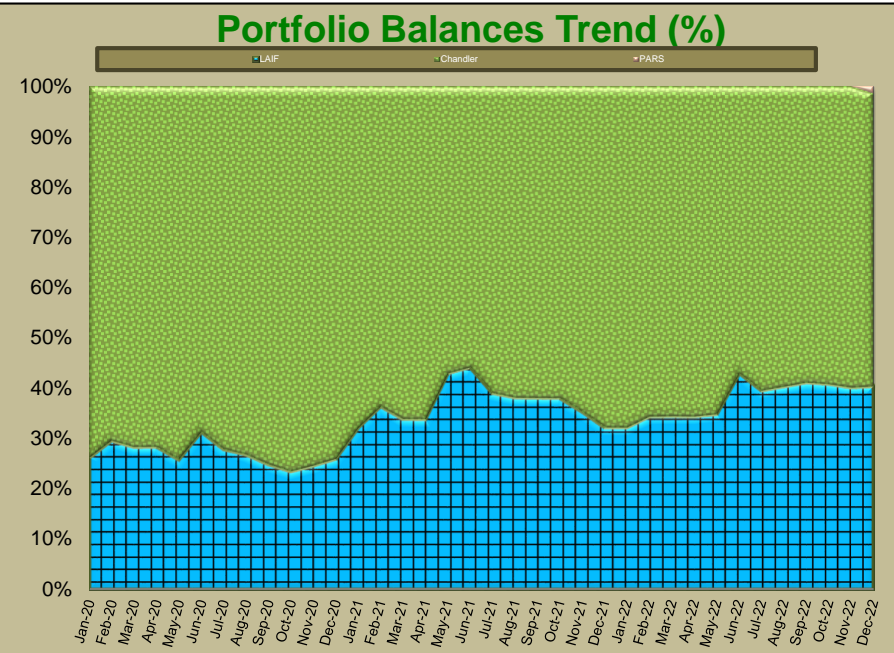
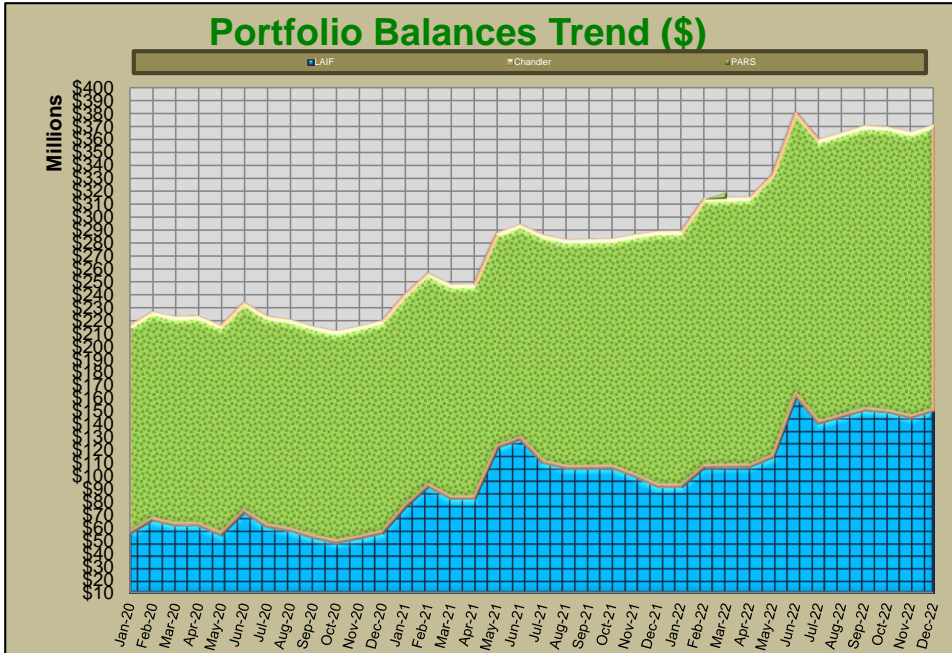
(2) Yield to Maturity (YTM): The rate of return on an investment or security if it were to be held until maturity. This yield does not reflect changes in the market value of a security

(3) Rate of Return represents the gain or loss on an investment or portfolio of investments over a specified period, expressed as a percentage of increase over the initial investment cost. Gains on investments are considered to be any income received from the security or portfolio plus any realized capital gain. This measure of return recognizes the changes in market values of a security or portfolio of securities.

(4) The Rate of Return for the investment portfolio reflects the performance of the portfolio during the past twelve months.

(5) The portfolio benchmark is the ICE Bank of America-Merrill Lynch 1 to 5 year Government Index

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT



PORTFOLIO CHARACTERISTICS

The portfolio invested in LAIF represents the City's immediate cash liquidity needs and is managed by City staff in a manner to fund the day to day operations of the City.

The portfolio managed by Chandler is comprised of idle cash balances related to funds that generally expect to expend cash with the next 12 to 60 months.

FUNDS WITH FISCAL AGENTS

By Investment Type

Trustee	Bond Description	Investment Type	Issuer	Value Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of Portfolio
Wells Fargo	Community Facilities District 87-1 (IA-1)	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ 401,371	0.03%	0.00%	0.00	8.44%
Wells Fargo	2013 Partial Refunding of the 2005 Lease Revenue Bonds	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ -	0.03%	0.03%	1.00	0.00%
Wells Fargo	2014 Partial Refunding of the 2005 Lease Revenue Bonds	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ 619	0.03%	0.03%	1.00	0.01%
Wells Fargo	2016 Community Facilities District 7 Improvement Area 1	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ 196,382	0.03%	0.03%	1.00	4.13%
Wells Fargo	2017 Refunding of the 2007 RDA TABs	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ 760,274	0.02%	0.02%	1.00	15.98%
Wells Fargo	2019 Taxable Lease Revenue Bonds (Electric Utility)	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ 3,397,451	0.02%	0.02%	2.00	71.41%
Wilmington Trust	2020 Taxable Refunding of the 2013 TRIP COPs	Money Market	Federated Hermes Gov Fund	12/31/2022	1/1/2023	\$ 1,158	0.03%	0.03%	1.00	0.02%
Wells Fargo	2021 Taxable Refunding Lease Revenue Bonds (Electric Utility)	Money Market	WF Government Fund	12/31/2022	1/1/2023	\$ 419	0.02%	0.02%	2.00	0.01%
Total						\$ 4,757,674				100%

By Fund Purpose

Trustee	Bond Description	Construction fund	Debt Service	Reserve & Other	Total
Wells Fargo	Community Facilities District 87-1 (IA-1)	\$0	\$401,371	\$0	\$401,371
Wells Fargo	2013 Partial Refunding of the 2005 Lease Revenue Bonds	\$0	\$0	\$0	\$0
Wells Fargo	2014 Partial Refunding of the 2005 Lease Revenue Bonds	\$0	\$619	\$0	\$619
Wells Fargo	2016 Community Facilities District 7 Improvement Area 1	\$0	\$477	\$195,905	\$196,382
Wells Fargo	2017 Refunding of the 2007 RDA TABs	\$0	\$760,274	\$0	\$760,274
Wells Fargo	2019 Taxable Lease Revenue Bonds (Electric Utility)	\$3,397,134	\$317	\$0	\$3,397,451
Wilmington Trust	2020 Taxable Refunding of the 2013 TRIP COPs	\$0	\$1,158	\$0	\$1,158
Wells Fargo	2021 Taxable Refunding Lease Revenue Bonds (Electric Utility)	\$0	\$419	\$0	\$419
Total		\$3,397,134	\$1,164,635	\$195,905	\$4,757,674

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

FUNDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Value Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of Portfolio
Wells Fargo		Community Facilities District 87-1 (IA-1)							
Special tax funds	22631900	Money Market	12/31/22	01/01/23	17,485	0.03%	0.03%	1.000	0.368%
Interest acct	22631901	Money Market	12/31/22	01/01/23	1,627	0.03%	0.03%	1.000	0.034%
Principal fund	22631902	Money Market	12/31/22	01/01/23	172	0.03%	0.03%	1.000	0.004%
Reserve fund	22631904	Money Market	12/31/22	01/01/23	365,236	0.03%	0.03%	1.000	7.677%
Admin exp acct	22631905	Money Market	12/31/22	01/01/23	15,183	0.03%	0.03%	1.000	0.319%
Surplus acct	22631907	Money Market	12/31/22	01/01/23	1,668	0.03%	0.03%	1.000	0.035%
					401,371				
Wells Fargo		2013 Partial Refunding of the 2005 Lease Revenue Bond							
Revenue fund	48360700	Money Market	12/31/22	01/01/23	-	0.03%	0.03%	1.000	0.000%
Interest fund	48360701	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%
Principal fund	48360702	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%
					-				
Wells Fargo		2014 Partial Refunding of the 2005 Lease Revenue Bond							
Revenue fund	83478300	Money Market	12/31/22	01/01/23	619	0.03%	0.03%	1.000	0.013%
Interest fund	83478301	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%
Principal fund	83478302	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%
					619				
Wells Fargo		Community Facilities District 7 Improvement Area 1							
Special tax fund	77025300	Money Market	12/31/22	01/01/23	24,044	0.03%	0.03%	1.000	0.505%
Bond fund	77025301	Money Market	12/31/22	01/01/23	472	0.03%	0.03%	1.000	0.010%
Reserve fund	77025302	Money Market	12/31/22	01/01/23	171,861	0.03%	0.03%	1.000	3.612%
Admin exp acct	77025305	Money Market	12/31/22	01/01/23	5	0.03%	0.03%	1.000	0.000%
					196,382				
Wells Fargo		2017 Refunding of the 2007 RDA TABs							
Income fund	49150300	Money Market	12/31/22	01/01/23	760,274	0.02%	0.02%	1.000	15.980%
Interest fund	49150301	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%
Reserve fund	49150304	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%
					760,274				

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

Wells Fargo		2019 Taxable Lease Revenue Bonds (Electric utility)								
Revenue fund	83056100	Money Market	12/31/22	01/01/23	317	0.02%	0.02%	2.000	0.007%	
Interest fund	83056101	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%	
Construction fund	83056103	Money Market	12/31/22	01/01/23	3,397,134	0.02%	0.02%	1.000	71.403%	
					3,397,451	1.00%				

Wilmington Trust		2020 Taxable Refunding of the 2013 TRIP COPs								
Revenue fund	143629-000	Money Market	12/31/22	01/01/23	341	0.03%	0.03%	1.000	0.007%	
Interest fund	143629-001	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%	
Principal fund	143629-002	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%	
Reserve fund	143629-003	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%	
Admin fund	143629-004	Cash	12/31/22	01/01/23	817	0.00%	0.00%	1.000	0.017%	
Admin fund	143629-004	Money Market	12/31/22	01/01/23	-	0.03%	0.03%	1.000	0.000%	
Surplus fund	143629-005	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	1.000	0.000%	
					1,158					

Wells Fargo		2021 Taxable Refunding Lease Revenue Bonds (Electric)								
Revenue fund	83056107	Money Market	12/31/22	01/01/23	419	0.02%	0.02%	2.000	0.009%	
Interest fund	83056108	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%	
Principal fund	83056109	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%	
Acquisition & constru	83056110	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%	
Reserve fund	83056111	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	2.000	0.000%	
Bond proceeds	83056112	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%	
Cost of issuance	83056113	Money Market	12/31/22	01/01/23	-	0.00%	0.00%	0.000	0.000%	
					419					
					4,757,674					100.000%

Type			
1	1	Construction Funds	3,397,134
2	2	Principal & Interest Accounts	782,543
3	3	Debt Service Reserve Funds	537,097
4	4	Custody Accounts	24,044
5	5	Arbitrage Rebate Accounts	1,668
6	6	Other Accounts	15,188
Total Fiscal Agent Funds			4,757,674

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT



City of Moreno Valley

MONTHLY ACCOUNT STATEMENT

DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact operations@chandlerasset.com

Custodian

US Bank
Alexander Bazan
(503) 402-5305

CHANDLER ASSET MANAGEMENT
chandlerasset.com

Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures.

PORTFOLIO CHARACTERISTICS

Average Modified Duration	2.26
Average Coupon	1.71%
Average Purchase YTM	1.62%
Average Market YTM	4.63%
Average S&P/Moody Rating	AA+/Aa1
Average Final Maturity	2.63 yrs
Average Life	2.39 yrs

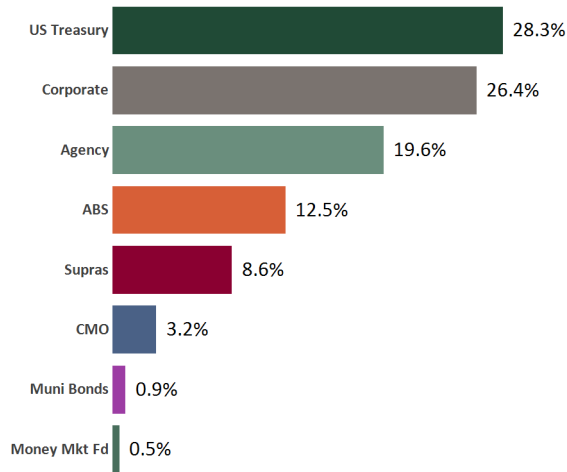
ACCOUNT SUMMARY

	Beg. Values as of 11/30/22	End Values as of 12/31/22
Market Value	195,994,481	196,320,674
Accrued Interest	745,791	708,308
Total Market Value	196,740,272	197,028,982
Income Earned	272,987	289,100
Cont/WD		0
Par	208,468,397	208,807,861
Book Value	208,503,798	208,830,380
Cost Value	209,195,413	209,538,864

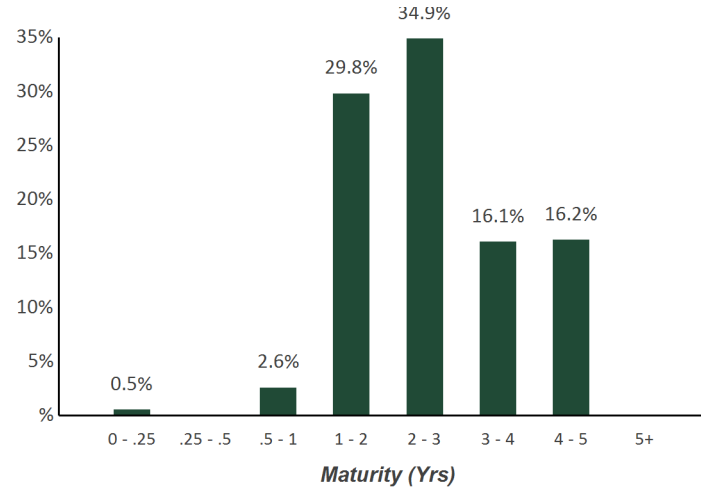
TOP ISSUERS

Government of United States	28.3%
Federal National Mortgage Assoc	9.5%
Federal Home Loan Mortgage Corp	9.0%
Federal Home Loan Bank	4.3%
Inter-American Dev Bank	3.0%
International Finance Corp	2.9%
Intl Bank Recon and Development	2.8%
John Deere ABS	2.1%
Total	61.8%

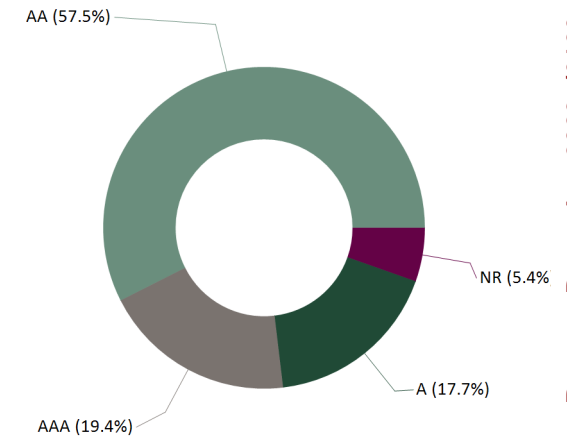
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY (S&P)



PERFORMANCE REVIEW

TOTAL RATE OF RETURN	Annualized								
	1M	3M	YTD	1YR	2YRS	3YRS	5YRS	10YRS	5/31/20
City of Moreno Valley	0.15%	1.07%	-4.99%	-4.99%	-2.99%	-0.53%	0.86%	0.96%	1.29%
ICE BofA 1-5 Yr US Treasury & Agency Index	0.07%	0.94%	-5.25%	-5.25%	-3.19%	-0.78%	0.66%	0.71%	1.00%
ICE BofA 1-5 Yr AAA-A US Corp & Govt Index	0.06%	1.03%	-5.30%	-5.30%	-3.20%	-0.74%	0.72%	0.81%	1.14%

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT



Statement of Compliance

As of December 31, 2022

City of Moreno Valley

Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.

Category	Standard	Comment
Treasury Issues	No Limitation	<i>Complies</i>
U.S. Agency Issues	No Limitation	<i>Complies</i>
Supranational Securities	"AA" rating by a NRSRO; 30% maximum; 5% max per issuer; Issued by International Bank for Reconstruction (IBRD), International Finance Corporation (IFC), or Inter-American Development Bank (IADB) only	<i>Complies</i>
Municipal Securities (Local Agency/State-CA and others)	No Limitation	<i>Complies</i>
Banker's Acceptances	40% maximum; 5% max per issuer; 180 days max maturity	<i>Complies</i>
Commercial Paper	"A-1/P-1/F-1" minimum ratings; "A" rated issuer or higher, if long term debt issued; 25% maximum; 5% max per issuer; 270 days max maturity; Under a provision sunsetting on January 1, 2026, no more than 40% of the portfolio may be invested in Commercial Paper if the Agency's investment assets under management are greater than \$100,000,000	<i>Complies</i>
Negotiable Certificates of Deposit	30% maximum; 5% max per issuer	<i>Complies</i>
Medium Term Notes	"A" rating or better by a NRSRO; 30% maximum; 5% max per issuer	<i>Complies</i>
Money Market Mutual Funds and Mutual Funds	AAA/Aaa or Highest rating by two NRSROs; 20% maximum	<i>Complies</i>
Certificates of Deposit (CD)/ Time Deposit (TD)/ Bank Deposit (Collateralized/FDIC insured)	5% max per issuer	<i>Complies</i>
Asset-Backed Securities, Mortgage Pass-Through Securities, Collateralized Mortgage Backed Securities	"AA" rating or better by a NRSRO; 20% maximum (combined MBS/ABS/CMO); 5% max per issuer	<i>Complies</i>
Repurchase Agreements	1 year max maturity	<i>Complies</i>
Local Agency Investment Fund (LAIF)	Maximum program limitation; Not used by investment adviser	<i>Complies</i>
County Pooled Investment Funds; Joint Powers Authority Pool	Not used by investment adviser	<i>Complies</i>
Max Per Issuer	5% of portfolio per issuer, except US Government, its agencies and instrumentalities, Supranational issuers, investment pools, and money funds or money market mutual funds	<i>Complies</i>
Maximum Maturity	5 years	<i>Complies</i>
Weighted Average Maturity	3 years	<i>Complies</i>

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ABS									
58769EAC2	Mercedes-Benz Auto Lease Trust 2020-B A3 0.4% Due 11/15/2023	94,160.53	09/15/2020 0.40%	94,155.76 94,160.45	99.76 5.09%	93,938.27 16.74	0.05% (222.18)	NR / AAA AAA	0.8 0.0
92348AAA3	Verizon Owner Trust 2019-C A1A 1.94% Due 4/22/2024	27,403.96	10/01/2019 1.95%	27,401.84 27,403.35	99.82 4.57%	27,355.96 16.24	0.01% (47.39)	NR / AAA AAA	1.3 0.0
44891VAC5	Hyundai Auto Lease Trust 2021-B A3 0.33% Due 6/17/2024	1,020,000.00	06/08/2021 0.34%	1,019,847.00 1,019,952.11	98.47 5.00%	1,004,438.17 149.60	0.51% (15,513.94)	Aaa / AAA NR	1.4 0.3
65479JAD5	Nissan Auto Receivables Owner 2019-C A3 1.93% Due 7/15/2024	145,322.42	10/16/2019 1.94%	145,314.74 145,319.93	99.64 5.03%	144,802.37 124.65	0.07% (517.56)	Aaa / AAA NR	1.5 0.1
43813DAC2	Honda Auto Receivables 2020-2 A3 0.82% Due 7/15/2024	165,241.57	05/18/2020 0.83%	165,228.57 165,236.74	98.53 5.51%	162,813.09 60.22	0.08% (2,423.65)	Aaa / AAA NR	1.5 0.3
47789KAC7	John Deere Owner Trust 2020-A A3 1.1% Due 8/15/2024	181,291.23	03/04/2020 1.11%	181,280.15 181,287.18	99.13 4.89%	179,707.36 88.63	0.09% (1,579.82)	Aaa / NR AAA	1.6 0.2
43813KAC6	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	436,374.10	09/22/2020 0.38%	436,310.00 436,356.13	97.82 5.31%	426,839.59 58.30	0.22% (9,516.54)	NR / AAA AAA	1.8 0.4
36262XAC8	GM Financial Auto Lease Trust 2021-3 A2 0.39% Due 10/21/2024	1,220,000.00	08/10/2021 0.39%	1,219,983.41 1,219,992.80	97.16 5.38%	1,185,316.01 145.38	0.60% (34,676.79)	NR / AAA AAA	1.8 0.5
47787NAC3	John Deere Owner Trust 2020-B A3 0.51% Due 11/15/2024	151,858.17	07/14/2020 0.52%	151,835.03 151,851.28	98.46 5.34%	149,525.28 34.42	0.08% (2,326.00)	Aaa / NR AAA	1.8 0.3
09690AAC7	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	526,292.52	09/08/2021 0.34%	526,238.20 526,269.12	97.72 5.25%	514,268.00 28.95	0.26% (12,001.12)	Aaa / NR AAA	1.9 0.4
89236XAC0	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	330,588.77	10/06/2020 0.36%	330,527.18 330,559.26	98.25 4.95%	324,791.18 51.42	0.16% (5,768.08)	NR / AAA AAA	2.0 0.3
44891WAC3	Hyundai Auto Lease Trust 2022-A A3 1.16% Due 1/15/2025	765,000.00	01/11/2022 1.16%	764,983.09 764,990.27	96.51 5.20%	738,274.34 394.40	0.37% (26,715.93)	Aaa / AAA NR	2.0 0.8
92290BAA9	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	682,485.26	08/04/2020 0.48%	682,341.93 682,417.54	98.49 5.05%	672,204.71 98.01	0.34% (10,212.83)	Aaa / NR AAA	2.1 0.3
89238LAC4	Toyota Lease Owner Trust 2022-A A3 1.96% Due 2/20/2025	1,710,000.00	02/23/2022 1.98%	1,709,730.85 1,709,828.87	96.45 5.25%	1,649,272.77 1,024.10	0.84% (60,556.10)	NR / AAA AAA	2.1 1.0

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ABS									
36265MAC9	GM Financial Auto Lease Trust 2022-1 A3 1.9% Due 3/20/2025	1,400,000.00	02/15/2022 1.91%	1,399,987.96 1,399,992.73	96.62 5.32%	1,352,740.20 812.78	0.69% (47,252.53)	Aaa / NR AAA	2.2 1.0
05601XAC3	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	1,535,000.00	Various 2.16%	1,511,174.60 1,519,725.05	96.74 5.29%	1,485,019.94 281.42	0.75% (34,705.11)	NR / AAA AAA	2.2 0.7
43813GAC5	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	291,015.60	02/17/2021 0.27%	291,010.28 291,013.49	96.73 6.22%	281,500.99 21.83	0.14% (9,512.50)	Aaa / NR AAA	2.3 0.9
44891RAC4	Hyundai Auto Receivables Trust 2020-C A3 0.38% Due 5/15/2025	562,798.61	10/20/2020 0.39%	562,668.99 562,754.51	97.38 5.63%	548,036.35 95.05	0.28% (14,718.16)	NR / AAA AAA	2.3 0.9
89240BAC2	Toyota Auto Receivables Owners 2021-A A3 0.26% Due 5/15/2025	1,044,100.45	02/02/2021 0.27%	1,043,906.67 1,044,025.23	97.42 4.82%	1,017,176.44 120.65	0.52% (26,848.79)	Aaa / NR AAA	2.3 0.9
44933LAC7	Hyundai Auto Receivables Trust 2021-A A3 0.38% Due 9/15/2025	672,767.15	04/20/2021 0.38%	672,696.38 672,735.36	96.71 5.51%	650,629.07 113.62	0.33% (22,106.29)	NR / AAA AAA	2.7 0.6
43815GAC3	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	615,000.00	11/16/2021 0.89%	614,870.36 614,914.45	94.91 5.11%	583,670.42 150.33	0.30% (31,244.03)	Aaa / NR AAA	3.0 1.2
47789QAC4	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	735,000.00	07/13/2021 0.52%	734,934.44 734,960.46	94.91 5.29%	697,572.11 169.87	0.35% (37,388.35)	Aaa / NR AAA	3.2 1.0
89238JAC9	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	575,000.00	11/09/2021 0.71%	574,987.75 574,992.00	94.21 5.70%	541,707.50 181.44	0.28% (33,284.50)	NR / AAA AAA	3.2 1.1
44935FAD6	Hyundai Auto Receivables Trust 2021-C A3 0.74% Due 5/15/2026	440,000.00	11/09/2021 0.75%	439,901.79 439,936.65	94.47 5.54%	415,648.68 144.71	0.21% (24,287.97)	NR / AAA AAA	3.3 1.1
43815BAC4	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	1,095,000.00	02/15/2022 1.89%	1,094,835.31 1,094,878.97	95.03 5.03%	1,040,577.85 914.93	0.53% (54,301.12)	Aaa / AAA NR	3.3 1.6
05602RAD3	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	710,000.00	05/10/2022 3.23%	709,963.08 709,970.50	97.40 4.96%	691,567.76 379.85	0.35% (18,402.74)	Aaa / AAA NR	3.6 1.5

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ABS									
362554AC1	GM Financial Securitized Term 2021-4 A3 0.68% Due 9/16/2026	445,000.00	10/13/2021 0.68%	444,988.65 444,992.64	94.48 5.54%	420,441.52 126.08	0.21% (24,551.12)	Aaa / AAA NR	3.7 1.1
47787JAC2	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	840,000.00	03/10/2022 2.34%	839,814.19 839,856.47	95.91 5.12%	805,673.99 866.13	0.41% (34,182.48)	Aaa / NR AAA	3.7 1.4
448977AD0	Hyundai Auto Receivables Trust 2022-A A3 2.22% Due 10/15/2026	1,200,000.00	03/09/2022 2.23%	1,199,953.80 1,199,965.13	95.56 5.13%	1,146,775.20 1,184.00	0.58% (53,189.93)	NR / AAA AAA	3.7 1.5
380146AC4	GM Financial Auto Receivables 2022-1 A3 1.26% Due 11/16/2026	420,000.00	01/11/2022 1.27%	419,963.50 419,973.94	94.55 5.35%	397,102.78 220.50	0.20% (22,871.16)	NR / AAA AAA	3.8 1.3
362585AC5	GM Financial Securitized ART 2022-2 A3 3.1% Due 2/16/2027	520,000.00	04/05/2022 3.13%	519,891.32 519,914.15	96.88 5.05%	503,779.84 671.67	0.26% (16,134.31)	Aaa / AAA NR	4.1 1.6
47800AAC4	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	875,000.00	07/12/2022 3.77%	874,916.44 874,927.00	97.70 4.93%	854,881.83 1,454.44	0.43% (20,045.17)	Aaa / NR AAA	4.1 1.9
02582JIT8	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	1,840,000.00	05/17/2022 3.42%	1,839,592.99 1,839,676.11	97.14 4.72%	1,787,339.75 2,772.27	0.91% (52,336.36)	NR / AAA AAA	4.3 2.2
47800BAC2	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	1,405,000.00	10/12/2022 5.15%	1,404,890.97 1,404,897.01	100.38 4.97%	1,410,293.91 3,178.42	0.72% 5,396.90	Aaa / NR AAA	4.4 2.1
92348KAV5	Verizon Master Trust 2022-5 A1A 3.72% Due 7/20/2027	765,000.00	08/02/2022 3.75%	764,966.34 764,971.09	98.48 5.00%	753,397.90 869.55	0.38% (11,573.19)	NR / AAA AAA	4.5 1.5
Total ABS		25,441,700.34	1.82%	25,415,093.56 25,424,697.97	5.16%	24,659,081.13 17,020.60	12.52% (765,616.84)	Aaa / AAA AAA	2.9 1.1
AGENCY									
3137EAEV7	FHLMC Note 0.25% Due 8/24/2023	1,925,000.00	08/19/2020 0.28%	1,923,036.50 1,924,579.76	97.09 4.87%	1,868,951.20 1,697.74	0.95% (55,628.56)	Aaa / AA+ AAA	0.6 0.6
3130A1XJ2	FHLB Note 2.875% Due 6/14/2024	3,000,000.00	Various 1.94%	3,131,160.00 3,038,459.42	97.72 4.51%	2,931,592.20 4,072.92	1.49% (106,867.22)	Aaa / AA+ NR	1.4 1.4
3135G0V75	FNMA Note 1.75% Due 7/2/2024	3,000,000.00	07/16/2019 1.96%	2,969,790.00 2,990,863.64	95.76 4.70%	2,872,947.78 26,104.17	1.47% (117,915.86)	Aaa / AA+ AAA	1.5 1.4
3130A2UW4	FHLB Note 2.875% Due 9/13/2024	3,000,000.00	09/13/2019 1.79%	3,155,070.00 3,052,795.21	97.12 4.65%	2,913,638.61 25,875.00	1.49% (139,156.60)	Aaa / AA+ AAA	1.7 1.6

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AGENCY									
3135G0W66	FNMA Note 1.625% Due 10/15/2024	1,180,000.00	10/17/2019 1.66%	1,177,982.20 1,179,277.62	95.05 4.54%	1,121,553.15 4,048.06	0.57% (57,724.47)	Aaa / AA+ AAA	1.7 1.7
3135G0X24	FNMA Note 1.625% Due 1/7/2025	3,210,000.00	Various 1.19%	3,276,100.10 3,237,603.57	94.54 4.48%	3,034,861.85 25,211.87	1.55% (202,741.72)	Aaa / AA+ AAA	2.0 1.9
3137EAEP0	FHLMC Note 1.5% Due 2/12/2025	3,590,000.00	02/13/2020 1.52%	3,587,235.70 3,588,829.15	94.29 4.35%	3,385,148.25 20,792.08	1.73% (203,680.90)	Aaa / AA+ AAA	2.1 2.0
3130A4CH3	FHLB Note 2.375% Due 3/14/2025	2,750,000.00	03/19/2020 1.18%	2,908,867.50 2,820,093.74	95.67 4.46%	2,631,030.49 19,412.33	1.35% (189,063.25)	Aaa / AA+ AAA	2.2 2.1
3135G03U5	FNMA Note 0.625% Due 4/22/2025	2,830,000.00	04/22/2020 0.67%	2,824,170.20 2,827,308.83	91.94 4.33%	2,602,041.72 3,390.10	1.32% (225,267.11)	Aaa / AA+ AAA	2.3 2.2
3135G04Z3	FNMA Note 0.5% Due 6/17/2025	3,400,000.00	Various 0.51%	3,398,324.20 3,399,301.57	91.07 4.37%	3,096,214.59 661.11	1.57% (303,086.98)	Aaa / AA+ AAA	2.4 2.4
3137EAEU9	FHLMC Note 0.375% Due 7/21/2025	3,400,000.00	Various 0.45%	3,388,108.00 3,393,781.77	90.57 4.31%	3,079,451.03 5,666.67	1.57% (314,330.74)	Aaa / AA+ AAA	2.5 2.4
3135G05X7	FNMA Note 0.375% Due 8/25/2025	3,150,000.00	12/16/2020 0.43%	3,141,904.50 3,145,427.37	90.27 4.30%	2,843,448.80 4,134.38	1.45% (301,978.57)	Aaa / AA+ AAA	2.6 2.5
3137EAEX3	FHLMC Note 0.375% Due 9/23/2025	3,385,000.00	Various 0.44%	3,374,969.55 3,379,423.54	90.07 4.27%	3,048,868.58 3,455.52	1.55% (330,554.96)	Aaa / AA+ AAA	2.7 2.6
3135G06G3	FNMA Note 0.5% Due 11/7/2025	3,400,000.00	Various 0.56%	3,389,186.80 3,393,814.91	90.01 4.26%	3,060,363.87 2,550.00	1.55% (333,451.04)	Aaa / AA+ AAA	2.8 2.7
Total Agency		41,220,000.00	1.02%	41,645,905.25 41,371,560.10	4.44%	38,490,112.12 147,071.95	19.61% (2,881,447.98)	Aaa / AA+ AAA	2.1 2.0
CMO									
3137B7YY9	FHLMC K037 A2 3.49% Due 1/25/2024	3,000,000.00	11/05/2021 0.58%	3,163,242.19 3,078,687.99	98.49 5.06%	2,954,800.20 8,725.00	1.50% (123,887.79)	NR / AAA NR	1.0 0.8
3137BLW95	FHLMC K050 A2 3.334% Due 8/25/2025	588,000.00	02/07/2022 1.74%	616,389.38 609,112.92	96.75 4.67%	568,861.46 1,633.66	0.29% (40,251.46)	NR / NR AAA	2.6 2.3
3137BSP72	FHLMC K058 A2 2.653% Due 8/25/2026	950,000.00	11/12/2021 1.35%	1,004,736.33 991,673.53	93.79 4.52%	890,989.42 2,100.29	0.45% (100,684.11)	NR / NR AAA	3.6 3.3
3137FAWS3	FHLMC K067 A2 3.194% Due 7/25/2027	675,000.00	09/28/2022 4.42%	640,538.09 642,304.36	94.93 4.43%	640,781.48 1,796.63	0.33% (1,522.88)	Aaa / NR NR	4.5 4.1

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CMO									
3137FBU79	FHLMC K069 A2 3.187% Due 9/25/2027	1,255,000.00	09/28/2022 4.82%	1,189,161.52 1,192,420.85	94.81 4.43%	1,189,910.07 3,333.07	0.61% (2,510.78)	NR / AAA NR	4.7 4.1
Total CMO		6,468,000.00	1.96%	6,614,067.51 6,514,199.65	4.76%	6,245,342.63 17,588.65	3.18% (268,857.02)	Aaa / AAA AAA	2.6 2.3
CORPORATE									
24422EVN6	John Deere Capital Corp Note 0.45% Due 1/17/2024	2,300,000.00	03/01/2021 0.47%	2,298,367.00 2,299,406.89	95.64 4.78%	2,199,714.76 4,715.00	1.12% (99,692.13)	A2 / A A	1.0 1.0
69371RR24	Paccar Financial Corp Note 0.35% Due 2/2/2024	665,000.00	01/28/2021 0.39%	664,228.60 664,720.32	95.15 4.99%	632,770.07 963.33	0.32% (31,950.25)	A1 / A+ NR	1.0 1.0
808513BN4	Charles Schwab Corp Callable Note Cont 2/18/2024 0.75% Due 3/18/2024	955,000.00	03/16/2021 0.77%	954,522.50 954,807.43	95.07 4.99%	907,899.41 2,049.27	0.46% (46,908.02)	A2 / A A	1.2 1.1
79466LAG9	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 7/15/2024	2,000,000.00	Various 0.91%	1,985,486.00 1,991,478.51	93.84 4.83%	1,876,817.92 5,763.89	0.96% (114,660.59)	A2 / A+ NR	1.5 1.4
91159HHX1	US Bancorp Callable Note Cont 6/28/2024 2.4% Due 7/30/2024	1,750,000.00	10/10/2019 2.07%	1,775,567.50 1,758,095.88	96.17 4.94%	1,683,061.24 17,616.67	0.86% (75,034.64)	A2 / A+ A+	1.5 1.5
009158AV8	Air Products & Chemicals Callable Note Cont 4/30/2024 3.35% Due 7/31/2024	500,000.00	08/07/2019 2.11%	527,750.00 507,797.65	97.76 4.83%	488,817.35 7,025.69	0.25% (18,980.30)	A2 / A NR	1.5 1.5
69371RR40	Paccar Financial Corp Note 0.5% Due 8/9/2024	865,000.00	08/03/2021 0.52%	864,532.90 864,750.25	93.14 5.00%	805,676.47 1,705.97	0.41% (59,073.78)	A1 / A+ NR	1.6 1.5
69371RQ25	Paccar Financial Corp Note 2.15% Due 8/15/2024	670,000.00	08/08/2019 2.20%	668,519.30 669,520.21	95.47 5.09%	639,655.12 5,441.89	0.33% (29,865.09)	A1 / A+ NR	1.6 1.5
78015K7C2	Royal Bank of Canada Note 2.25% Due 11/1/2024	1,900,000.00	12/05/2019 2.26%	1,899,012.00 1,899,629.98	95.37 4.92%	1,812,051.00 7,125.00	0.92% (87,578.98)	A1 / A AA-	1.8 1.7
14913Q3B3	Caterpillar Finl Service Note 2.15% Due 11/8/2024	2,020,000.00	Various 1.88%	2,044,446.00 2,029,546.15	95.45 4.74%	1,928,157.71 6,393.86	0.98% (101,388.44)	A2 / A A	1.8 1.7

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CORPORATE									
74153WCQ0	Pricoa Global Funding Note 1.15% Due 12/6/2024	1,185,000.00	12/01/2021 1.19%	1,183,779.45 1,184,213.45	92.56 5.25%	1,096,796.16 946.35	0.56% (87,417.29)	Aa3 / AA- AA-	1.9 1.8
89236TJT3	Toyota Motor Credit Corp Note 1.45% Due 1/13/2025	1,715,000.00	01/10/2022 1.50%	1,712,701.90 1,713,442.07	93.69 4.74%	1,606,831.04 11,604.83	0.82% (106,611.03)	A1 / A+ A+	2.0 1.9
90331HPL1	US Bank NA Callable Note Cont 12/21/2024 2.05% Due 1/21/2025	810,000.00	01/16/2020 2.10%	808,274.70 809,290.80	94.76 4.75%	767,563.50 7,380.00	0.39% (41,727.30)	A1 / AA- AA-	2.0 1.9
002824BB5	Abbott Laboratories Callable Note Cont 12/15/2024 2.95% Due 3/15/2025	2,000,000.00	02/07/2022 1.83%	2,061,720.00 2,042,373.15	96.63 4.57%	1,932,678.74 17,372.22	0.99% (109,694.41)	A1 / AA- NR	2.2 2.0
78016EZ59	Royal Bank of Canada Note 3.375% Due 4/14/2025	845,000.00	04/07/2022 3.39%	844,687.35 844,762.09	96.70 4.91%	817,147.68 6,099.84	0.42% (27,614.41)	A1 / A AA-	2.2 2.1
87612EBL9	Target Corp Callable Note Cont 4/15/25 2.25% Due 4/15/2025	2,000,000.00	02/07/2022 1.88%	2,022,420.00 2,015,951.93	94.88 4.63%	1,897,699.74 9,500.00	0.97% (118,252.19)	A2 / A A	2.2 2.1
06367WB85	Bank of Montreal Note 1.85% Due 5/1/2025	1,571,000.00	07/23/2021 0.85%	1,628,844.22 1,606,826.37	93.33 4.91%	1,466,257.77 4,843.92	0.75% (140,568.60)	A2 / A- AA-	2.3 2.2
46647PCH7	JP Morgan Chase & Co Callable Note Cont 6/1/2024 0.824% Due 6/1/2025	1,770,000.00	05/24/2021 0.78%	1,772,292.35 1,771,081.34	93.23 5.28%	1,650,129.83 1,215.40	0.84% (120,951.51)	A1 / A- AA-	2.4 2.3
46647PCK0	JP Morgan Chase & Co Callable Note Cont 6/23/2024 0.969% Due 6/23/2025	840,000.00	Various 0.95%	840,520.15 840,256.04	93.21 5.28%	783,000.33 180.88	0.40% (57,255.71)	A1 / A- AA-	2.4 2.3
64952WDQ3	New York Life Global Note 0.95% Due 6/24/2025	950,000.00	11/17/2021 1.29%	938,543.00 942,103.13	90.62 5.02%	860,891.20 175.49	0.44% (81,211.93)	Aaa / AA+ AAA	2.4 2.4
66815L2J7	Northwestern Mutual Gbl Note 4% Due 7/1/2025	1,560,000.00	06/27/2022 4.01%	1,559,469.60 1,559,558.65	98.11 4.81%	1,530,528.00 31,200.00	0.79% (29,030.65)	Aaa / AA+ AAA	2.5 2.3
40139LBC6	Guardian Life Glob Fun Note 0.875% Due 12/10/2025	1,700,000.00	Various 1.12%	1,682,830.00 1,687,925.78	88.37 5.19%	1,502,209.98 867.70	0.76% (185,715.80)	Aa1 / AA+ NR	2.5 2.8
66815L2A6	Northwestern Mutual Gbl Note 0.8% Due 1/14/2026	1,100,000.00	12/06/2021 1.47%	1,070,817.00 1,078,395.23	88.56 4.90%	974,199.06 4,082.22	0.50% (104,196.17)	Aaa / AA+ AAA	3.0 2.9
06051GHY8	Bank of America Corp Callable Note Cont 2/13/2025 2.015% Due 2/13/2026	750,000.00	02/17/2022 3.30%	737,512.50 740,204.36	92.76 5.63%	695,689.65 5,793.13	0.36% (44,514.71)	A2 / A- AA-	3.1 2.9

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Holdings Report

As of December 31, 2022



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
CORPORATE									
46647PBK1	JP Morgan Chase & Co Callable Note Cont 4/22/2025 2.083% Due 4/22/2026	1,034,000.00	Various 1.36%	1,061,039.22 1,050,637.30	92.78 5.44%	959,375.21 4,128.16	0.49% (91,262.09)	A1 / A- AA-	3.3 2.2
78016EZQ3	Royal Bank of Canada Note 1.2% Due 4/27/2026	1,000,000.00	07/09/2021 1.13%	1,003,440.00 1,002,383.81	89.02 4.82%	890,182.93 2,133.33	0.45% (112,200.88)	A1 / A AA-	3.3 3.1
6174468Q5	Morgan Stanley Callable Note Cont 4/28/2025 2.188% Due 4/28/2026	1,100,000.00	05/18/2022 4.75%	1,039,071.00 1,048,640.11	93.00 5.43%	1,022,966.31 4,211.90	0.52% (25,673.80)	A1 / A- A+	3.3 2.2
023135BX3	Amazon.com Inc Callable Note Cont 4/12/2026 1% Due 5/12/2026	2,615,000.00	05/10/2021 1.09%	2,603,703.20 2,607,409.00	88.68 4.68%	2,318,908.83 3,559.31	1.18% (288,500.17)	A1 / AA AA-	3.3 3.2
91324PEC2	United Health Group Inc Callable Note Cont 4/15/2026 1.15% Due 5/15/2026	430,000.00	Various 1.08%	431,391.30 430,946.63	89.43 4.57%	384,562.73 631.86	0.20% (46,383.90)	A3 / A+ A	3.3 3.2
89236TJK2	Toyota Motor Credit Corp Note 1.125% Due 6/18/2026	1,785,000.00	06/15/2021 1.13%	1,784,214.60 1,784,456.33	88.46 4.78%	1,579,092.20 725.16	0.80% (205,364.13)	A1 / A+ A+	3.4 3.3
06051GJD2	Bank of America Corp Callable Note Cont 6/19/2025 1.319% Due 6/19/2026	1,800,000.00	Various 1.23%	1,805,843.00 1,803,636.15	90.23 5.45%	1,624,218.34 791.39	0.82% (179,417.81)	A2 / A- AA-	3.4 3.2
57629WDE7	Mass Mutual Global funding Note 1.2% Due 7/16/2026	1,250,000.00	08/19/2021 1.15%	1,252,787.50 1,252,014.23	88.13 4.89%	1,101,564.30 6,875.00	0.56% (150,449.93)	Aa3 / AA+ AA+	3.5 3.5
58989V2D5	Met Tower Global Funding Note 1.25% Due 9/14/2026	975,000.00	09/07/2021 1.27%	974,103.00 974,335.85	87.00 5.15%	848,259.75 3,622.40	0.43% (126,076.10)	Aa3 / AA- AA-	3.7 3.5
931142ER0	Wal-Mart Stores Callable Note Cont 08/17/2026 1.05% Due 9/17/2026	445,000.00	09/08/2021 1.09%	444,158.95 444,375.89	88.67 4.39%	394,561.72 1,349.83	0.20% (49,814.17)	Aa2 / AA AA	3.7 3.5
59217GER6	Metlife Note 1.875% Due 1/11/2027	1,575,000.00	01/03/2022 1.90%	1,573,204.50 1,573,553.57	88.58 5.04%	1,395,156.07 13,945.31	0.72% (178,397.50)	Aa3 / AA- AA-	4.0 3.7
808513BY0	Charles Schwab Corp Callable Note Cont 2/3/2027 2.45% Due 3/3/2027	1,425,000.00	03/01/2022 2.46%	1,424,601.70 1,424,666.76	91.31 4.77%	1,301,229.34 11,443.54	0.67% (123,437.42)	A2 / A A	4.1 3.8
084664CZ2	Berkshire Hathaway Callable Note Cont 2/15/2027 2.3% Due 3/15/2027	2,395,000.00	03/07/2022 2.30%	2,394,544.95 2,394,617.72	92.41 4.29%	2,213,166.76 16,219.47	1.13% (181,450.96)	Aa2 / AA A+	4.2 3.9

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CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
CORPORATE									
06051GHT9	Bank of America Corp Callable Note 1X 4/23/2026 3.559% Due 4/23/2027	1,500,000.00	Various 4.77%	1,453,356.24 1,457,348.56	93.80 5.63%	1,407,032.78 10,083.83	0.72% (50,315.78)	A2 / A- AA-	4.3 3.0
665859AW4	Northern Trust Company Callable Note Cont 4/10/2027 4% Due 5/10/2027	895,000.00	05/05/2022 4.04%	893,550.10 893,737.49	97.78 4.57%	875,092.45 5,071.67	0.45% (18,645.04)	A2 / A+ A+	4.3 3.9
91324PEG3	United Health Group Inc Callable Note Cont 4/15/2027 3.7% Due 5/15/2027	910,000.00	05/17/2022 3.69%	910,425.60 910,372.77	96.84 4.50%	881,210.82 4,302.27	0.45% (29,161.95)	A3 / A+ A	4.3 3.9
89115A2C5	Toronto-Dominion Bank Note 4.108% Due 6/8/2027	2,000,000.00	08/26/2022 4.18%	1,993,300.00 1,993,776.65	96.62 4.97%	1,932,302.94 5,249.11	0.98% (61,473.71)	A1 / A NR	4.4 3.9
Total Corporate		55,555,000.00	1.88%	55,589,578.88 55,523,046.48	4.91%	51,685,127.21 254,406.09	26.36% (3,837,919.27)	A1 / A+ AA-	2.7 2.9
MONEY MARKET FUND									
60934N104	Federated Investors Government Obligations Fund	973,161.13	Various 4.10%	973,161.13 973,161.13	1.00 4.10%	973,161.13 0.00	0.49% 0.00	Aaa / AAA AAA	0.0 0.0
Total Money Market Fund		973,161.13	4.10%	973,161.13	4.10%	973,161.13 0.00	0.49% 0.00	Aaa / AAA AAA	0.0 0.0
MUNICIPAL BONDS									
13063DRK6	California State Taxable GO 2.4% Due 10/1/2024	1,915,000.00	10/16/2019 1.91%	1,958,987.55 1,930,580.96	96.43 4.54%	1,846,653.65 11,490.00	0.94% (83,927.31)	Aa2 / AA- AA	1.7 1.6
Total Municipal Bonds		1,915,000.00	1.91%	1,958,987.55 1,930,580.96	4.54%	1,846,653.65 11,490.00	0.94% (83,927.31)	Aa2 / AA- AA	1.7 1.6
SUPRANATIONAL									
45950KCR9	International Finance Corp Note 1.375% Due 10/16/2024	2,500,000.00	07/12/2021 0.54%	2,567,250.00 2,536,959.24	94.45 4.64%	2,361,273.65 7,161.46	1.20% (175,685.59)	Aaa / AAA NR	1.7 1.7
459058HT3	Intl. Bank Recon & Development Note 1.625% Due 1/15/2025	2,500,000.00	07/12/2021 0.56%	2,592,325.00 2,553,694.09	94.52 4.47%	2,362,990.20 18,732.64	1.21% (190,703.89)	Aaa / AAA AAA	2.0 1.9
4581X0DL9	Inter-American Dev Bank Note 0.875% Due 4/3/2025	3,000,000.00	12/14/2021 1.08%	2,980,230.00 2,986,486.12	92.54 4.39%	2,776,057.26 6,416.67	1.41% (210,428.86)	Aaa / AAA AAA	2.20 2.18

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Holdings Report

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CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
SUPRANATIONAL									
459058JL8	Intl. Bank Recon & Development Note 0.5% Due 10/28/2025	3,400,000.00	Various 0.60%	3,384,848.15 3,390,908.20	89.92 4.33%	3,057,364.29 2,975.01	1.55% (333,543.91)	Aaa / AAA AAA	2.8 2.7
4581X0DV7	Inter-American Dev Bank Note 0.875% Due 4/20/2026	3,435,000.00	04/13/2021 0.97%	3,419,267.70 3,424,618.06	89.58 4.29%	3,076,935.60 5,927.76	1.56% (347,682.46)	Aaa / AAA AAA	3.3 3.1
45950KCX6	International Finance Corp Note 0.75% Due 10/8/2026	3,800,000.00	11/08/2021 1.15%	3,728,332.00 3,744,999.91	87.76 4.30%	3,335,053.81 6,570.83	1.70% (409,946.10)	Aaa / AAA NR	3.7 3.6
Total Supranational		18,635,000.00	0.84%	18,672,252.85 18,637,665.62	4.39%	16,969,674.81 47,784.37	8.64% (1,667,990.81)	Aaa / AAA AAA	2.7 2.6
US TREASURY									
912828V23	US Treasury Note 2.25% Due 12/31/2023	3,150,000.00	Various 1.81%	3,209,369.15 3,163,178.16	97.55 4.78%	3,072,973.05 195.78	1.56% (90,205.11)	Aaa / AA+ AAA	1.0 0.9
912828B66	US Treasury Note 2.75% Due 2/15/2024	3,150,000.00	Various 1.81%	3,279,865.24 3,181,596.66	97.86 4.72%	3,082,571.10 32,719.77	1.58% (99,025.56)	Aaa / AA+ AAA	1.1 1.0
91282CBR1	US Treasury Note 0.25% Due 3/15/2024	1,000,000.00	03/30/2021 0.33%	997,578.13 999,015.55	94.84 4.71%	948,398.00 745.86	0.48% (50,617.55)	Aaa / AA+ AAA	1.2 1.1
912828X70	US Treasury Note 2% Due 4/30/2024	3,100,000.00	Various 1.86%	3,119,312.50 3,105,312.65	96.52 4.73%	2,991,983.60 10,618.78	1.52% (113,329.05)	Aaa / AA+ AAA	1.3 1.2
912828XX3	US Treasury Note 2% Due 6/30/2024	3,000,000.00	07/30/2019 1.87%	3,018,867.19 3,005,735.79	96.21 4.64%	2,886,327.00 165.75	1.47% (119,408.79)	Aaa / AA+ AAA	1.5 1.4
91282CCL3	US Treasury Note 0.375% Due 7/15/2024	2,500,000.00	07/13/2021 0.46%	2,493,359.38 2,496,600.92	93.71 4.65%	2,342,870.00 4,330.84	1.19% (153,730.92)	Aaa / AA+ AAA	1.5 1.5
912828D56	US Treasury Note 2.375% Due 8/15/2024	3,000,000.00	08/29/2019 1.45%	3,133,007.81 3,043,455.09	96.52 4.62%	2,895,702.00 26,912.36	1.48% (147,753.09)	Aaa / AA+ AAA	1.6 1.5
9128283D0	US Treasury Note 2.25% Due 10/31/2024	2,900,000.00	Various 1.76%	2,966,847.66 2,924,823.09	96.10 4.49%	2,786,833.30 11,175.42	1.42% (137,989.79)	Aaa / AA+ AAA	1.8 1.7
912828YV6	US Treasury Note 1.5% Due 11/30/2024	3,000,000.00	02/04/2022 1.47%	3,002,343.75 3,001,595.21	94.68 4.43%	2,840,391.00 3,956.04	1.44% (161,204.21)	Aaa / AA+ AAA	1.9 1.8
91282CDN8	US Treasury Note 1% Due 12/15/2024	3,000,000.00	12/14/2021 0.98%	3,001,640.63 3,001,068.80	93.65 4.42%	2,809,569.00 1,401.10	1.43% (191,499.80)	Aaa / AA+ AAA	1.9 1.9
91282CED9	US Treasury Note 1.75% Due 3/15/2025	1,495,000.00	04/08/2022 2.71%	1,454,938.67 1,464,841.47	94.56 4.36%	1,413,709.38 7,805.39	0.72% (51,132.09)	Aaa / AA+ AAA	2.2 2.1

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Holdings Report

As of December 31, 2022



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
US TREASURY									
91282CAM3	US Treasury Note 0.25% Due 9/30/2025	3,300,000.00	03/29/2021 0.74%	3,228,199.22 3,256,221.17	89.88 4.19%	2,966,003.70 2,107.83	1.51% (290,217.47)	Aaa / AA+ AAA	2.7 2.6
91282CAT8	US Treasury Note 0.25% Due 10/31/2025	3,400,000.00	02/22/2021 0.54%	3,354,046.88 3,372,229.38	89.51 4.22%	3,043,265.20 1,455.80	1.55% (328,964.18)	Aaa / AA+ AAA	2.8 2.7
91282CAZ4	US Treasury Note 0.375% Due 11/30/2025	2,200,000.00	03/26/2021 0.77%	2,160,554.69 2,175,413.12	89.54 4.23%	1,969,774.40 725.27	1.00% (205,638.72)	Aaa / AA+ AAA	2.9 2.8
91282CCZ2	US Treasury Note 0.875% Due 9/30/2026	1,780,000.00	10/18/2021 1.19%	1,753,369.53 1,759,839.25	88.91 4.10%	1,582,670.98 3,979.33	0.81% (177,168.27)	Aaa / AA+ AAA	3.7 3.6
91282CDK4	US Treasury Note 1.25% Due 11/30/2026	3,500,000.00	12/16/2021 1.17%	3,512,714.84 3,510,043.95	89.86 4.08%	3,144,942.50 3,846.15	1.60% (365,101.45)	Aaa / AA+ AAA	3.9 3.7
912828Z78	US Treasury Note 1.5% Due 1/31/2027	1,150,000.00	02/07/2022 1.77%	1,135,355.47 1,137,989.55	90.41 4.07%	1,039,717.30 7,218.75	0.53% (98,272.25)	Aaa / AA+ AAA	4.0 3.8
91282CET4	US Treasury Note 2.625% Due 5/31/2027	1,800,000.00	06/09/2022 3.07%	1,763,367.19 1,767,502.50	94.41 4.02%	1,699,311.60 4,153.85	0.86% (68,190.90)	Aaa / AA+ AAA	4.4 4.1
91282CEW7	US Treasury Note 3.25% Due 6/30/2027	2,975,000.00	Various 3.12%	2,993,090.82 2,991,404.46	96.84 4.02%	2,880,984.05 267.09	1.46% (110,420.41)	Aaa / AA+ AAA	4.5 4.1
91282CFB2	US Treasury Note 2.75% Due 7/31/2027	900,000.00	08/22/2022 3.12%	884,742.19 885,850.77	94.76 4.01%	852,855.30 10,357.34	0.44% (32,995.47)	Aaa / AA+ AAA	4.5 4.1
91282CFH9	US Treasury Note 3.125% Due 8/31/2027	3,150,000.00	Various 3.41%	3,109,707.03 3,112,139.37	96.34 3.99%	3,034,580.85 33,446.99	1.56% (77,558.52)	Aaa / AA+ AAA	4.6 4.2
91282CFM8	US Treasury Note 4.125% Due 9/30/2027	3,900,000.00	10/20/2022 4.45%	3,843,632.81 3,845,761.05	100.54 4.00%	3,920,872.80 41,102.68	2.01% 75,111.75	Aaa / AA+ AAA	4.7 4.2
91282CFZ9	US Treasury Note 3.875% Due 11/30/2027	1,250,000.00	12/05/2022 3.81%	1,253,906.25 1,253,850.45	99.62 3.96%	1,245,215.00 4,258.24	0.63% (8,635.45)	Aaa / AA+ AAA	4.9 4.4
Total US Treasury		58,600,000.00	1.87%	58,669,817.03 58,455,468.41	4.35%	55,451,521.11 212,946.41	28.25% (3,003,947.30)	Aaa / AA+ AAA	2.7 2.5
TOTAL PORTFOLIO		208,807,861.47	1.62%	209,538,863.76 208,830,380.32	4.63%	196,320,673.79 708,308.07	100.00% (12,509,706.53)	Aa1 / AA+ AAA	2.6 2.2
TOTAL MARKET VALUE PLUS ACCRUED						197,028,981.86			

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Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/01/2022	60934N104	7,292.40	Federated Investors Government Obligations Fund	1.000	3.60%	7,292.40	0.00	7,292.40	0.00
Purchase	12/01/2022	60934N104	10,637.88	Federated Investors Government Obligations Fund	1.000	3.60%	10,637.88	0.00	10,637.88	0.00
Purchase	12/06/2022	60934N104	6,813.75	Federated Investors Government Obligations Fund	1.000	3.60%	6,813.75	0.00	6,813.75	0.00
Purchase	12/06/2022	91282CFZ9	1,250,000.00	US Treasury Note 3.875% Due 11/30/2027	100.313	3.81%	1,253,906.25	798.42	1,254,704.67	0.00
Purchase	12/08/2022	60934N104	41,080.00	Federated Investors Government Obligations Fund	1.000	3.60%	41,080.00	0.00	41,080.00	0.00
Purchase	12/10/2022	60934N104	7,437.50	Federated Investors Government Obligations Fund	1.000	3.60%	7,437.50	0.00	7,437.50	0.00
Purchase	12/14/2022	60934N104	43,125.00	Federated Investors Government Obligations Fund	1.000	3.60%	43,125.00	0.00	43,125.00	0.00
Purchase	12/15/2022	60934N104	15,000.00	Federated Investors Government Obligations Fund	1.000	3.60%	15,000.00	0.00	15,000.00	0.00
Purchase	12/15/2022	60934N104	340.21	Federated Investors Government Obligations Fund	1.000	3.60%	340.21	0.00	340.21	0.00
Purchase	12/15/2022	60934N104	5,198.00	Federated Investors Government Obligations Fund	1.000	3.60%	5,198.00	0.00	5,198.00	0.00
Purchase	12/15/2022	60934N104	280.50	Federated Investors Government Obligations Fund	1.000	3.60%	280.50	0.00	280.50	0.00
Purchase	12/15/2022	60934N104	739.50	Federated Investors Government Obligations Fund	1.000	3.60%	739.50	0.00	739.50	0.00
Purchase	12/15/2022	60934N104	11,124.48	Federated Investors Government Obligations Fund	1.000	3.60%	11,124.48	0.00	11,124.48	0.00
Purchase	12/15/2022	60934N104	2,727.08	Federated Investors Government Obligations Fund	1.000	3.60%	2,727.08	0.00	2,727.08	0.00
Purchase	12/15/2022	60934N104	318.50	Federated Investors Government Obligations Fund	1.000	3.60%	318.50	0.00	318.50	0.00
Purchase	12/15/2022	60934N104	1,624.00	Federated Investors Government Obligations Fund	1.000	3.60%	1,624.00	0.00	1,624.00	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/15/2022	60934N104	271.33	Federated Investors Government Obligations Fund	1.000	3.60%	271.33	0.00	271.33	0.00
Purchase	12/15/2022	60934N104	2,220.00	Federated Investors Government Obligations Fund	1.000	3.60%	2,220.00	0.00	2,220.00	0.00
Purchase	12/15/2022	60934N104	1,715.50	Federated Investors Government Obligations Fund	1.000	3.60%	1,715.50	0.00	1,715.50	0.00
Purchase	12/15/2022	60934N104	21,065.52	Federated Investors Government Obligations Fund	1.000	3.60%	21,065.52	0.00	21,065.52	0.00
Purchase	12/15/2022	60934N104	44,008.06	Federated Investors Government Obligations Fund	1.000	3.60%	44,008.06	0.00	44,008.06	0.00
Purchase	12/15/2022	60934N104	42,411.65	Federated Investors Government Obligations Fund	1.000	3.60%	42,411.65	0.00	42,411.65	0.00
Purchase	12/15/2022	60934N104	1,377.66	Federated Investors Government Obligations Fund	1.000	3.60%	1,377.66	0.00	1,377.66	0.00
Purchase	12/15/2022	60934N104	14,342.89	Federated Investors Government Obligations Fund	1.000	3.60%	14,342.89	0.00	14,342.89	0.00
Purchase	12/15/2022	60934N104	34,313.49	Federated Investors Government Obligations Fund	1.000	3.60%	34,313.49	0.00	34,313.49	0.00
Purchase	12/15/2022	60934N104	61,349.16	Federated Investors Government Obligations Fund	1.000	3.60%	61,349.16	0.00	61,349.16	0.00
Purchase	12/15/2022	60934N104	41,170.01	Federated Investors Government Obligations Fund	1.000	3.60%	41,170.01	0.00	41,170.01	0.00
Purchase	12/15/2022	60934N104	35,577.05	Federated Investors Government Obligations Fund	1.000	3.60%	35,577.05	0.00	35,577.05	0.00
Purchase	12/15/2022	60934N104	77,549.96	Federated Investors Government Obligations Fund	1.000	3.60%	77,549.96	0.00	77,549.96	0.00
Purchase	12/16/2022	60934N104	441.00	Federated Investors Government Obligations Fund	1.000	3.60%	441.00	0.00	441.00	0.00
Purchase	12/16/2022	60934N104	252.17	Federated Investors Government Obligations Fund	1.000	3.60%	252.17	0.00	252.17	0.00
Purchase	12/16/2022	60934N104	1,343.33	Federated Investors Government Obligations Fund	1.000	3.60%	1,343.33	0.00	1,343.33	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/17/2022	60934N104	8,500.00	Federated Investors Government Obligations Fund	1.000	3.60%	8,500.00	0.00	8,500.00	0.00
Purchase	12/18/2022	60934N104	10,040.63	Federated Investors Government Obligations Fund	1.000	3.60%	10,040.63	0.00	10,040.63	0.00
Purchase	12/19/2022	60934N104	11,871.00	Federated Investors Government Obligations Fund	1.000	3.60%	11,871.00	0.00	11,871.00	0.00
Purchase	12/19/2022	60934N104	43,603.38	Federated Investors Government Obligations Fund	1.000	3.60%	43,603.38	0.00	43,603.38	0.00
Purchase	12/20/2022	60934N104	396.50	Federated Investors Government Obligations Fund	1.000	3.60%	396.50	0.00	396.50	0.00
Purchase	12/20/2022	60934N104	2,216.67	Federated Investors Government Obligations Fund	1.000	3.60%	2,216.67	0.00	2,216.67	0.00
Purchase	12/20/2022	60934N104	2,793.00	Federated Investors Government Obligations Fund	1.000	3.60%	2,793.00	0.00	2,793.00	0.00
Purchase	12/20/2022	60934N104	2,371.50	Federated Investors Government Obligations Fund	1.000	3.60%	2,371.50	0.00	2,371.50	0.00
Purchase	12/20/2022	60934N104	109,140.35	Federated Investors Government Obligations Fund	1.000	3.60%	109,140.35	0.00	109,140.35	0.00
Purchase	12/20/2022	60934N104	30,732.52	Federated Investors Government Obligations Fund	1.000	3.60%	30,732.52	0.00	30,732.52	0.00
Purchase	12/21/2022	60934N104	451.00	Federated Investors Government Obligations Fund	1.000	3.60%	451.00	0.00	451.00	0.00
Purchase	12/21/2022	60934N104	22,154.51	Federated Investors Government Obligations Fund	1.000	3.60%	22,154.51	0.00	22,154.51	0.00
Purchase	12/23/2022	60934N104	4,069.80	Federated Investors Government Obligations Fund	1.000	3.60%	4,069.80	0.00	4,069.80	0.00
Purchase	12/24/2022	60934N104	4,512.50	Federated Investors Government Obligations Fund	1.000	3.60%	4,512.50	0.00	4,512.50	0.00
Purchase	12/27/2022	60934N104	1,407.08	Federated Investors Government Obligations Fund	1.000	3.60%	1,407.08	0.00	1,407.08	0.00
Purchase	12/27/2022	60934N104	1,899.25	Federated Investors Government Obligations Fund	1.000	3.60%	1,899.25	0.00	1,899.25	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/27/2022	60934N104	13,855.98	Federated Investors Government Obligations Fund	1.000	3.60%	13,855.98	0.00	13,855.98	0.00
Purchase	12/27/2022	60934N104	8,725.00	Federated Investors Government Obligations Fund	1.000	3.60%	8,725.00	0.00	8,725.00	0.00
Purchase	12/27/2022	60934N104	1,633.66	Federated Investors Government Obligations Fund	1.000	3.60%	1,633.66	0.00	1,633.66	0.00
Purchase	12/27/2022	60934N104	2,100.29	Federated Investors Government Obligations Fund	1.000	3.60%	2,100.29	0.00	2,100.29	0.00
Purchase	12/27/2022	60934N104	1,796.63	Federated Investors Government Obligations Fund	1.000	3.60%	1,796.63	0.00	1,796.63	0.00
Purchase	12/27/2022	60934N104	3,333.07	Federated Investors Government Obligations Fund	1.000	3.60%	3,333.07	0.00	3,333.07	0.00
Purchase	12/31/2022	60934N104	113,781.25	Federated Investors Government Obligations Fund	1.000	4.10%	113,781.25	0.00	113,781.25	0.00
Subtotal			2,184,533.15				2,188,439.40	798.42	2,189,237.82	0.00
TOTAL ACQUISITIONS			2,184,533.15				2,188,439.40	798.42	2,189,237.82	0.00
DISPOSITIONS										
Sale	12/06/2022	60934N104	1,254,704.67	Federated Investors Government Obligations Fund	1.000	3.60%	1,254,704.67	0.00	1,254,704.67	0.00
Subtotal			1,254,704.67				1,254,704.67	0.00	1,254,704.67	0.00
Paydown	12/15/2022	02582JIT8	0.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	100.000		0.00	5,198.00	5,198.00	0.00
Paydown	12/15/2022	43813DAC2	20,938.30	Honda Auto Receivables 2020-2 A3 0.82% Due 7/15/2024	100.000		20,938.30	127.22	21,065.52	0.00
Paydown	12/15/2022	43815BAC4	0.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	100.000		0.00	1,715.50	1,715.50	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Paydown	12/15/2022	44891RAC4	43,815.97	Hyundai Auto Receivables Trust 2020-C A3 0.38% Due 5/15/2025	100.000		43,815.97	192.09	44,008.06	0.00
Paydown	12/15/2022	44891VAC5	0.00	Hyundai Auto Lease Trust 2021-B A3 0.33% Due 6/17/2024	100.000		0.00	280.50	280.50	0.00
Paydown	12/15/2022	44891WAC3	0.00	Hyundai Auto Lease Trust 2022-A A3 1.16% Due 1/15/2025	100.000		0.00	739.50	739.50	0.00
Paydown	12/15/2022	448977AD0	0.00	Hyundai Auto Receivables Trust 2022-A A3 2.22% Due 10/15/2026	100.000		0.00	2,220.00	2,220.00	0.00
Paydown	12/15/2022	44933LAC7	42,185.25	Hyundai Auto Receivables Trust 2021-A A3 0.38% Due 9/15/2025	100.000		42,185.25	226.40	42,411.65	0.00
Paydown	12/15/2022	44935FAD6	0.00	Hyundai Auto Receivables Trust 2021-C A3 0.74% Due 5/15/2026	100.000		0.00	271.33	271.33	0.00
Paydown	12/15/2022	477870AC3	1,375.13	John Deere Owner Trust 2019-B A3 2.21% Due 12/15/2023	100.000		1,375.13	2.53	1,377.66	0.00
Paydown	12/15/2022	47787JAC2	0.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	100.000		0.00	1,624.00	1,624.00	0.00
Paydown	12/15/2022	47787NAC3	14,272.28	John Deere Owner Trust 2020-B A3 0.51% Due 11/15/2024	100.000		14,272.28	70.61	14,342.89	0.00
Paydown	12/15/2022	47789KAC7	34,116.03	John Deere Owner Trust 2020-A A3 1.1% Due 8/15/2024	100.000		34,116.03	197.46	34,313.49	0.00
Paydown	12/15/2022	47789QAC4	0.00	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	100.000		0.00	318.50	318.50	0.00
Paydown	12/15/2022	47800AAC4	0.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	100.000		0.00	2,727.08	2,727.08	0.00
Paydown	12/15/2022	47800BAC2	0.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	100.000		0.00	11,124.48	11,124.48	0.00
Paydown	12/15/2022	58769EAC2	61,297.34	Mercedes-Benz Auto Lease Trust 2020-B A3 0.4% Due 11/15/2023	100.000		61,297.34	51.82	61,349.16	0.00

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Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Paydown	12/15/2022	65479JAD5	40,870.55	Nissan Auto Receivables Owner 2019-C A3 1.93% Due 7/15/2024	100.000		40,870.55	299.46	41,170.01	0.00
Paydown	12/15/2022	89236XAC0	35,470.28	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	100.000		35,470.28	106.77	35,577.05	0.00
Paydown	12/15/2022	89238JAC9	0.00	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	100.000		0.00	340.21	340.21	0.00
Paydown	12/15/2022	89240BAC2	77,306.99	Toyota Auto Receivables Owners 2021-A A3 0.26% Due 5/15/2025	100.000		77,306.99	242.97	77,549.96	0.00
Paydown	12/16/2022	362554AC1	0.00	GM Financial Securitized Term 2021-4 A3 0.68% Due 9/16/2026	100.000		0.00	252.17	252.17	0.00
Paydown	12/16/2022	362585AC5	0.00	GM Financial Securitized ART 2022-2 A3 3.1% Due 2/16/2027	100.000		0.00	1,343.33	1,343.33	0.00
Paydown	12/16/2022	380146AC4	0.00	GM Financial Auto Receivables 2022-1 A3 1.26% Due 11/16/2026	100.000		0.00	441.00	441.00	0.00
Paydown	12/19/2022	43813KAC6	43,455.43	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	100.000		43,455.43	147.95	43,603.38	0.00
Paydown	12/20/2022	36262XAC8	0.00	GM Financial Auto Lease Trust 2021-3 A2 0.39% Due 10/21/2024	100.000		0.00	396.50	396.50	0.00
Paydown	12/20/2022	36265MAC9	0.00	GM Financial Auto Lease Trust 2022-1 A3 1.9% Due 3/20/2025	100.000		0.00	2,216.67	2,216.67	0.00
Paydown	12/20/2022	89238LAC4	0.00	Toyota Lease Owner Trust 2022-A A3 1.96% Due 2/20/2025	100.000		0.00	2,793.00	2,793.00	0.00
Paydown	12/20/2022	92290BAA9	108,830.42	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	100.000		108,830.42	309.93	109,140.35	0.00
Paydown	12/20/2022	92348AAA3	30,638.68	Verizon Owner Trust 2019-C A1A 1.94% Due 4/22/2024	100.000		30,638.68	93.84	30,732.52	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Ledger

As of December 31, 2022



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Paydown	12/20/2022	92348KAV5	0.00	Verizon Master Trust 2022-5 A1A 3.72% Due 7/20/2027	100.000		0.00	2,371.50	2,371.50	0.00
Paydown	12/21/2022	43813GAC5	22,084.06	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	100.000		22,084.06	70.45	22,154.51	0.00
Paydown	12/21/2022	43815GAC3	0.00	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	100.000		0.00	451.00	451.00	0.00
Paydown	12/27/2022	05601XAC3	0.00	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	100.000		0.00	1,407.08	1,407.08	0.00
Paydown	12/27/2022	05602RAD3	0.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	100.000		0.00	1,899.25	1,899.25	0.00
Paydown	12/27/2022	09690AAC7	13,707.48	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	100.000		13,707.48	148.50	13,855.98	0.00
Paydown	12/27/2022	3137B7YY9	0.00	FHLMC K037 A2 3.49% Due 1/25/2024	100.000		0.00	8,725.00	8,725.00	0.00
Paydown	12/27/2022	3137BLW95	0.00	FHLMC K050 A2 3.334% Due 8/25/2025	100.000		0.00	1,633.66	1,633.66	0.00
Paydown	12/27/2022	3137BSP72	0.00	FHLMC K058 A2 2.653% Due 8/25/2026	100.000		0.00	2,100.29	2,100.29	0.00
Paydown	12/27/2022	3137FAWS3	0.00	FHLMC K067 A2 3.194% Due 7/25/2027	100.000		0.00	1,796.63	1,796.63	0.00
Paydown	12/27/2022	3137FBU79	0.00	FHLMC K069 A2 3.187% Due 9/25/2027	100.000		0.00	3,333.07	3,333.07	0.00
Subtotal			590,364.19				590,364.19	60,007.25	650,371.44	0.00
TOTAL DISPOSITIONS			1,845,068.86				1,845,068.86	60,007.25	1,905,076.11	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
OTHER TRANSACTIONS										
Interest	12/01/2022	46647PCH7	1,770,000.00	JP Morgan Chase & Co Callable Note Cont 6/1/2024 0.824% Due 6/1/2025	0.000		7,292.40	0.00	7,292.40	0.00
Interest	12/06/2022	74153WCQ0	1,185,000.00	Pricoa Global Funding Note 1.15% Due 12/6/2024	0.000		6,813.75	0.00	6,813.75	0.00
Interest	12/08/2022	89115A2C5	2,000,000.00	Toronto-Dominion Bank Note 4.108% Due 6/8/2027	0.000		41,080.00	0.00	41,080.00	0.00
Interest	12/10/2022	40139LBC6	1,700,000.00	Guardian Life Glob Fun Note 0.875% Due 12/10/2025	0.000		7,437.50	0.00	7,437.50	0.00
Interest	12/14/2022	3130A1XJ2	3,000,000.00	FHLB Note 2.875% Due 6/14/2024	0.000		43,125.00	0.00	43,125.00	0.00
Interest	12/15/2022	91282CDN8	3,000,000.00	US Treasury Note 1% Due 12/15/2024	0.000		15,000.00	0.00	15,000.00	0.00
Interest	12/17/2022	3135G04Z3	3,400,000.00	FNMA Note 0.5% Due 6/17/2025	0.000		8,500.00	0.00	8,500.00	0.00
Interest	12/18/2022	89236TJK2	1,785,000.00	Toyota Motor Credit Corp Note 1.125% Due 6/18/2026	0.000		10,040.63	0.00	10,040.63	0.00
Interest	12/19/2022	06051GJD2	1,800,000.00	Bank of America Corp Callable Note Cont 6/19/2025 1.319% Due 6/19/2026	0.000		11,871.00	0.00	11,871.00	0.00
Interest	12/23/2022	46647PCK0	840,000.00	JP Morgan Chase & Co Callable Note Cont 6/23/2024 0.969% Due 6/23/2025	0.000		4,069.80	0.00	4,069.80	0.00
Interest	12/24/2022	64952WDQ3	950,000.00	New York Life Global Note 0.95% Due 6/24/2025	0.000		4,512.50	0.00	4,512.50	0.00
Interest	12/31/2022	912828V23	3,150,000.00	US Treasury Note 2.25% Due 12/31/2023	0.000		35,437.50	0.00	35,437.50	0.00
Interest	12/31/2022	912828XX3	3,000,000.00	US Treasury Note 2% Due 6/30/2024	0.000		30,000.00	0.00	30,000.00	0.00
Interest	12/31/2022	91282CEW7	2,975,000.00	US Treasury Note 3.25% Due 6/30/2027	0.000		48,343.75	0.00	48,343.75	0.00
Subtotal			30,555,000.00				273,523.83	0.00	273,523.83	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Ledger

As of December 31, 2022



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
OTHER TRANSACTIONS										
Dividend	12/01/2022	60934N104	1,300,625.05	Federated Investors Government Obligations Fund	0.000		10,637.88	0.00	10,637.88	0.00
Subtotal			1,300,625.05				10,637.88	0.00	10,637.88	0.00
TOTAL OTHER TRANSACTIONS			31,855,625.05				284,161.71	0.00	284,161.71	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT



City of Moreno Valley Limited Strategy

MONTHLY ACCOUNT STATEMENT

DECEMBER 1, 2022 THROUGH DECEMBER 31, 2022

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact operations@chandlerasset.com

Custodian

US Bank
Alexander Bazan
(503) 402-5305

CHANDLER ASSET MANAGEMENT
chandlerasset.com

Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures.

PORTFOLIO CHARACTERISTICS

Average Modified Duration	0.29
Average Coupon	4.25%
Average Purchase YTM	4.39%
Average Market YTM	4.39%
Average S&P/Moody Rating	AAA/Aaa
Average Final Maturity	0.29 yrs
Average Life	0.00 yrs

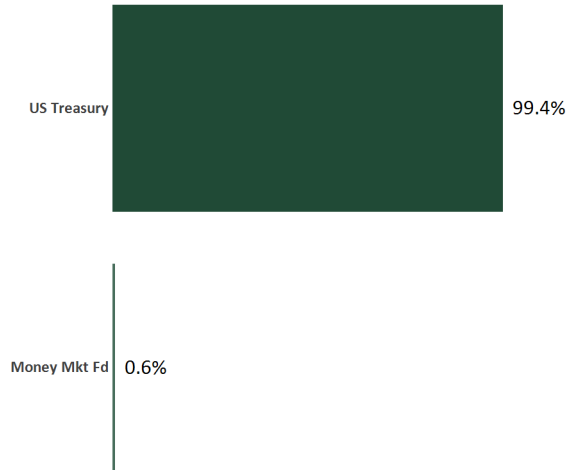
ACCOUNT SUMMARY

	Beg. Values as of 11/30/22	End Values as of 12/31/22
Market Value	10,091,583	10,121,301
Accrued Interest	0	0
Total Market Value	10,091,583	10,121,301
Income Earned	35,082	29,718
Cont/WD		0
Par	10,206,983	10,249,376
Book Value	10,091,583	10,121,301
Cost Value	10,055,038	10,055,038

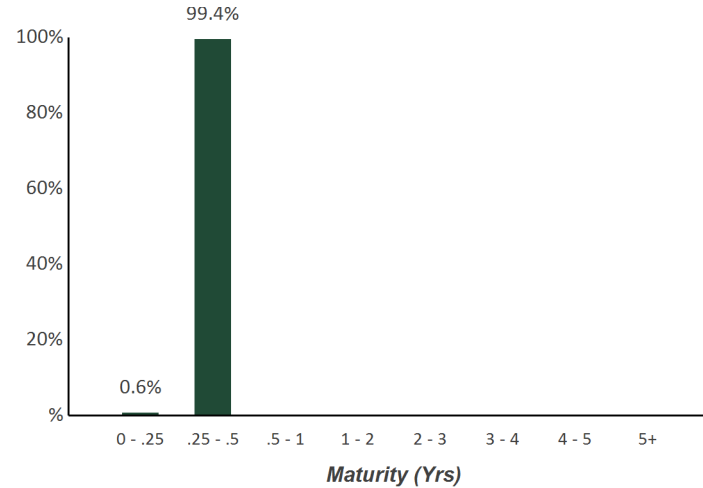
TOP ISSUERS

Government of United States	99.4%
Federated GOVT Obligation MMF	0.6%
Total	100.0%

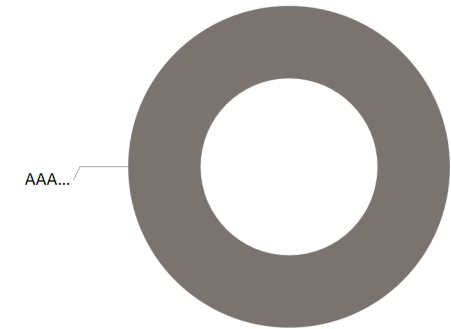
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY (S&P)





Statement of Compliance

As of December 31, 2022

City of Moreno Valley Limited Strategy

Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.

Category	Standard	Comment
Treasury Issues	No Limitation	Complies
U.S. Agency Issues	No Limitation	Complies
Supranational Securities	"AA" rating by a NRSRO; 30% maximum; 5% max per issuer; Issued by International Bank for Reconstruction (IBRD), International Finance Corporation (IFC), or Inter-American Development Bank (IADB) only	Complies
Municipal Securities (Local Agency/State-CA and others)	No Limitation	Complies
Banker's Acceptances	40% maximum; 5% max per issuer; 180 days max maturity	Complies
Commercial Paper	"A-1/P-1/F-1" minimum ratings; "A" rated issuer or higher, if long term debt issued; 25% maximum; 5% max per issuer; 270 days max maturity; Under a provision sunsetting on January 1, 2026, no more than 40% of the portfolio may be invested in Commercial Paper if the Agency's investment assets under management are greater than \$100,000,000	Complies
Negotiable Certificates of Deposit	30% maximum; 5% max per issuer	Complies
Medium Term Notes	"A" rating or better by a NRSRO; 30% maximum; 5% max per issuer	Complies
Money Market Mutual Funds and Mutual Funds	AAA/Aaa or Highest rating by two NRSROs; 20% maximum	Complies
Certificates of Deposit (CD)/ Time Deposit (TD)/ Bank Deposit (Collateralized/FDIC insured)	5% max per issuer	Complies
Asset-Backed Securities, Mortgage Pass-Through Securities, Collateralized Mortgage Backed Securities	"AA" rating or better by a NRSRO; 20% maximum (combined MBS/ABS/CMO); 5% max per issuer	Complies
Repurchase Agreements	1 year max maturity	Complies
Local Agency Investment Fund (LAIF)	Maximum program limitation; Not used by investment adviser	Complies
County Pooled Investment Funds; Joint Powers Authority Pool	Not used by investment adviser	Complies
Max Per Issuer	5% of portfolio per issuer, except US Government, its agencies and instrumentalities, Supranational issuers, investment pools and money funds or money market mutual funds	Complies
Maximum Maturity	5 years	Complies
Weighted Average Maturity	3 years	Complies

Holdings Report

As of December 31, 2022



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
MONEY MARKET FUND									
60934N104	Federated Investors Government Obligations Fund	59,375.93	11/03/2022 4.10%	59,375.93 59,375.93	1.00 4.10%	59,375.93 0.00	0.59% 0.00	Aaa / AAA AAA	0.00 0.00
Total Money Market Fund		59,375.93	4.10%	59,375.93	4.10%	59,375.93 0.00	0.59% 0.00	Aaa / AAA AAA	0.00 0.00
US TREASURY									
912796YU7	US Treasury Bill 4.195% Due 4/13/2023	3,000,000.00	10/17/2022 4.34%	2,938,123.75 2,964,342.50	98.81 4.34%	2,964,342.50 0.00	29.29% 0.00	P-1 / A-1+ F-1+	0.00 0.00
912796CU1	US Treasury Bill 4.348% Due 4/18/2023	3,000,000.00	12/22/2022 4.47%	2,957,607.00 2,961,230.33	98.71 4.47%	2,961,230.33 0.00	29.26% 0.00	P-1 / A-1+ F-1+	0.00 0.00
912796V48	US Treasury Bill 4.229% Due 4/20/2023	4,190,000.00	10/18/2022 4.38%	4,099,931.15 4,136,352.43	98.72 4.38%	4,136,352.43 0.00	40.87% 0.00	P-1 / A-1+ F-1+	0.00 0.00
Total US Treasury		10,190,000.00	4.40%	9,995,661.90 10,061,925.26	4.40%	10,061,925.26 0.00	99.41% 0.00	P-1 / A-1+ F-1+	0.00 0.00
TOTAL PORTFOLIO		10,249,375.93	4.39%	10,055,037.83 10,121,301.19	4.39%	10,121,301.19 0.00	100.00% 0.00	Aaa / AAA AAA	0.00 0.00
TOTAL MARKET VALUE PLUS ACCRUED						10,121,301.19			

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

Transaction Ledger

As of December 31, 2022



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	12/22/2022	912796CU1	3,000,000.00	US Treasury Bill 4.348% Due 4/18/2023	98.587	4.47%	2,957,607.00	0.00	2,957,607.00	0.00
Subtotal			3,000,000.00				2,957,607.00	0.00	2,957,607.00	0.00
TOTAL ACQUISITIONS			3,000,000.00				2,957,607.00	0.00	2,957,607.00	0.00
DISPOSITIONS										
Sale	12/22/2022	60934N104	2,957,607.00	Federated Investors Government Obligations Fund	1.000	3.60%	2,957,607.00	0.00	2,957,607.00	0.00
Subtotal			2,957,607.00				2,957,607.00	0.00	2,957,607.00	0.00
TOTAL DISPOSITIONS			2,957,607.00				2,957,607.00	0.00	2,957,607.00	0.00

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT

DECEMBER 2022



Market Summary

Market volatility has intensified as financial conditions tighten and global central banks pursue monetary policies to combat persistently high inflation and maintain financial market stability. Labor markets remain strong, although the pace of job growth is moderating. Inflation weighing on consumer sentiment and negatively impacting savings rates. Corporate earnings have generally performed better than expected, but warnings are growing along with wider credit spreads this year. While evidence of slower economic conditions has begun to mount, we expect the Federal Reserve to continue to raise rates to battle inflation, albeit perhaps at a less aggressive pace. Over the near-term, we expect financial market volatility to remain intensified and conditions tighter with persistent inflation, geopolitical risk, and the Fed hawkish monetary policy.

The Federal Open Market Committee (FOMC) raised the fed funds target rate by 50 basis points, as expected, at their December 14 meeting to a range of 4.25% - 4.50%, the highest level since 2007 and an increase of 425 basis points since the beginning of the year. This is the seventh consecutive rate increase in this cycle, and was a deceleration from the past four rate hikes of 75 basis points each. Federal Reserve Chairman Powell indicated that they expect to see a weakening of financial conditions as they continue to tighten monetary policy. We believe that the Fed will continue to hike in early 2023 but will look to pause if inflationary pressures continue to subside.

In November, yields declined significantly while the yield curve became more inverted. The 2-year Treasury yield declined 17 basis points to 4.31%, the 5-year Treasury yield fell 49 basis points to 3.74%, and the 10-year Treasury yield dropped 44 basis points to 3.61%. The inversion between the 2-year Treasury yield and 10-year Treasury yield widened to -71 basis points while the 3-month and 10-year treasuries widened to -74 basis points in November.

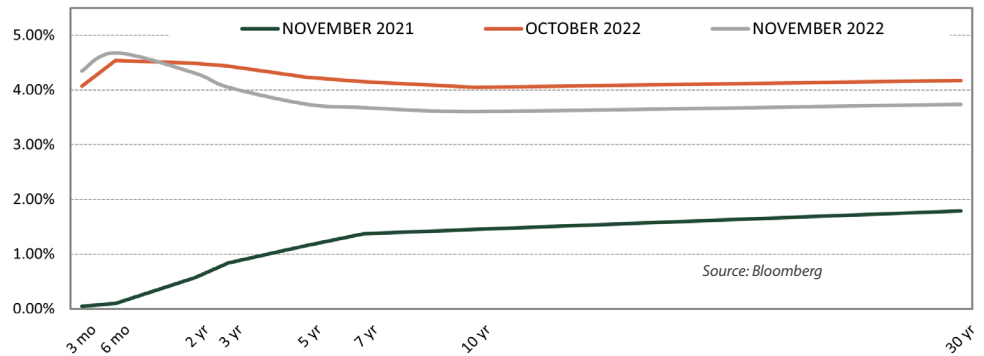
Market Data

World Stock Market Indices
data as of 11/30/2022

	Change (10/31/2022)	%CHG
S&P 500	4,080.11	208.13 5.38%
NASDAQ	11,468.00	479.85 4.37%
DOW JONES	34,589.77	1,856.82 5.67%
FTSE (UK)	7,573.05	478.52 6.74%
DAX (Germany)	14,397.04	1,143.30 8.63%
Hang Seng (Hong Kong)	18,597.23	3,910.21 26.62%
Nikkei (Japan)	27,968.99	381.53 1.38%

Source: Bloomberg. Please see descriptions of indices on Page 2.

Treasury Yields Fell in November



Although yields on Treasury securities fell in November, they remain significantly higher from a year ago. The 2-year Treasury yield was 374 basis points higher, and the 10-Year Treasury yield was about 216 basis points higher, year-over-year. The inversion between the 2-year Treasury yield and 10-year Treasury yield widened to -71 basis points at November month-end versus -44 basis points at October month-end. The average historical spread (since 2003) is about +130 basis points. The inversion between 3-month and 10-year treasuries widened to -74 basis points in November from -2 basis points in October. The shape of the yield curve indicates that the probability of recession is increasing.

TREASURY YIELDS	Trend (▲/▼)	11/30/2022	10/31/2022	Change
3-Month	▲	4.35	4.07	0.28
2-Year	▼	4.31	4.49	-0.17
3-Year	▼	4.05	4.44	-0.39
5-Year	▼	3.74	4.23	-0.49
7-Year	▼	3.68	4.15	-0.46
10-Year	▼	3.61	4.05	-0.44
30-Year	▼	3.74	4.17	-0.43

Source: Bloomberg

Since 1988, Chandler Asset Management has specialized in providing fixed income investment solutions to risk-averse public agencies and institutions. Chandler's mission is to provide fully customizable client-centered portfolio management that preserves principal, mitigates risk, and generates income in our clients' portfolios.

Credit Spreads tightened in November

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top rated commercial paper	0.22	0.37	(0.15)
2-year A corporate note	0.37	0.56	(0.19)
5-year A corporate note	0.92	0.98	(0.06)
5-year Agency note	0.29	0.20	0.08

Source: Bloomberg

Data as of 11/30/2022

Inflation Remains Above the Federal Reserve's Target but has Receded from its Recent Highs

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(78.20) \$Bln OCT 22	(74.13) \$Bln SEP 22	(68.16) \$Bln OCT 21
Gross Domestic Product	(2.90%) SEP 22	(0.60%) JUN 22	2.70% SEP 21
Unemployment Rate	3.70% NOV 22	3.70% OCT 22	4.20% NOV 21
Prime Rate	7.00% NOV 22	6.25% OCT 22	3.25% NOV 21
Refinitiv/CoreCommodity CRB Index	279.76 NOV 22	274.13 OCT 22	219.19 NOV 21
Oil (West Texas Int.)	\$80.55 NOV 22	\$86.53 OCT 22	\$66.18 NOV 21
Consumer Price Index (y/o/y)	7.10% NOV 22	7.70% OCT 22	6.80% NOV 21
Producer Price Index (y/o/y)	10.60% NOV 22	11.20% OCT 22	13.30% NOV 21
Euro/Dollar	1.04 NOV 22	0.99 OCT 22	1.13 NOV 21

Economic Roundup

Consumer Prices

The Consumer Price Index (CPI) increased less than expected in November, up 7.1% year-over-year versus consensus expectations for 7.3%, and down from 7.7% from the October release. The Core CPI, which excludes volatile food and energy components, rose 6.0% year-over-year, down from a 6.3% increase in October. Food and shelter costs continued to rise but were offset by broad price declines in energy along with prices of used cars and trucks. The Personal Consumption Expenditures (PCE) index rose 6.0% year-over-year in October, versus an upwardly revised 6.3% year-over-year in September. Core PC increased 5.0% year-over-year in October versus 5.2% year-over-year in September. Although the pace of inflation is below its recent highs, levels remain well above the Fed's target of around 2%, which is likely to keep the Federal Reserve on the path of tightening monetary policy. If inflation trends continue to decline consistently, the Fed may tighten at a less aggressive pace.

Retail Sales

Advance retail sales fell 0.6% in November, mostly due to declines in auto sales, after surging 1.3% in October. This equates to +6.5% year-over-year continuing the trend of slower growth as headwinds from higher interest rates combined with elevated prices took a toll on consumer spending. The Conference Board's Consumer Confidence Index dropped 2 points to 100.2 in November as views of current conditions, the future outlook for the economy and income expectations all declined. The US savings rate dipped to 2.3% in October, the lowest level since 2005, as consumers continue to be squeezed by higher prices and financing rates. Demand for goods and services going into the holiday season was strong as shoppers took advantage of Black Friday and Cyber Monday discounts from retailers looking to move excess inventory.

Labor Market

The U.S. economy added 263,000 jobs in November, surpassing market expectations of 200,000, while gains were revised downward by 23,000 for the prior two months. Trends in employment remain strong, with the three-month moving average payrolls at 272,000 and the six-month moving average at 323,000. Gains were broad-based, led by leisure and hospitality followed by healthcare and government. The unemployment rate was unchanged at 3.7%, and the labor participation rate dipped to 62.1% in November from 62.2% in October. The U-6 underemployment rate, which includes those who are marginally attached to the labor force and employed part time for economic reasons eased to 6.7% from 6.8% last month. Average hourly earnings rose 5.1% year-over-year in November compared to 4.9% year-over-year in October. While the pace of job growth is moderating, the report demonstrates strong demand for labor and provides the Fed further support for continued rate hikes.

Housing Starts

Total housing starts declined 4.2% to an annual rate of 1,425,000 in October, after an upward revision to 1,488,000 units in September. Single-family home starts fell 6.1%, whereas multi-family starts declined by a more modest 1.2% month-over-month. On a year-over-year basis, total housing starts decreased 8.8% reflecting a shift from single-family units to more affordable multi-family units as homebuyers struggle with a combination of elevated prices and higher mortgage rates. Mortgage rates for a 30-year fixed-rate loan remain at a decade high, though rates receded to 6.39% by the end of November. According to the Case-Shiller 20-City Home Price Index, the year-over-year increase continued its declining rate of gain to +10.4% in September from +13.1% in August, clearly displaying the impact of higher mortgage rates which have reduced demand for homebuying as affordability has declined.

World Stock Market Index Descriptions

S&P 500—The S&P 500 is a market value-weighted index of 500 large-capitalization stocks. The 500 companies included in the index capture approximately 80% of available US market capitalization. NASDAQ—The NASDAQ Composite Index is the market capitalization-weighted index of over 3,300 common stocks listed on the NASDAQ stock exchange. Dow Jones—The Dow Jones Industrial Average is an index that tracks 30 large, publicly-owned companies trading on the New York Stock Exchange and the NASDAQ. The Financial Times Stock Exchange Group (FTSE)—The FTSE is a share index of the 100 companies listed on the London Stock Exchange with the highest market capitalization. DAX—The Deutscher Aktienindex (DAX) is a blue chip stock market index consisting of the 30 major German companies trading on the Frankfurt Stock Exchange. Hang Seng—The Hang Seng Index is a freefloat-adjusted market-capitalization weighted stock market index in Hong Kong. It is used to record and monitor daily changes of the largest companies of the Hong Kong stock market and is the main indicator of overall market performance in Hong Kong. Nikkei—Japan Nikkei 225 Stock Average is a price-weighted index composed of Japan's top 225 blue-chip companies traded on the Tokyo Stock Exchange.

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Data source: Bloomberg and the U.S. Department of Labor. This report is provided for informational purposes only and should not be construed as specific investment or legal advice. The information contained herein was obtained from sources believed to be reliable as of the date of publication, but may become outdated or superseded at any time without notice. Any opinions or views expressed are based on current market conditions and are subject to change. This report may contain forecasts and forward-looking statements which are inherently limited and should not be relied upon as an indicator of future results. Past performance is not indicative of future results. This report is not intended to constitute an offer, solicitation, recommendation or advice regarding any securities or investment strategy and should not be regarded by recipients as a substitute for the exercise of their own judgment. Fixed income investments are subject to interest, credit, and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to pay interest or principal on a debt instrument. Market risk: the value of securities generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, especially during periods of high inflation.

Attachment: Investment Report - December 2022 (6126 : RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED DECEMBER 31,



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: ADOPT RESOLUTION NO. 2023-XX DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE DOCUMENTS FOR THE CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CALVIP) GRANT PROGRAM

RECOMMENDED ACTION

Recommendations:

1. Adopt Resolution No. 2023-XX, a Resolution of the City Council of the City of Moreno Valley, California, designating and authorizing City Manager, City Attorney and Chief Financial Officer to execute applications and documents for the purposes of obtaining and managing California Violence intervention and Prevention (CalVIP) Grant Program Funds awarded through The Board of State and Community Corrections (BSCC).

SUMMARY

This report recommends that City Council adopts Resolution No. 2023-XX designating and authorizing the City Manager, City Attorney and Chief Financial Officer to execute applications and documents for the purposes of obtaining and managing the CalVIP grant through the Board of State and Community Corrections (BSCC).

DISCUSSION

On January 4, 2022, City Council authorized City staff to apply for a \$1.5M CalVIP grant, through the BSCC, which included the following grant requirements:

- Grant required 100% cash or in-kind match
- Partner with a Community Based Organization(s) that will provide the necessary

- programs as required by the grant
- Negotiate a Memorandum of Understanding with a Community Based Organization (CBO) partner, which clearly outlines the responsibilities of the City and the CBO(s) to ensure grant compliance

Through those efforts, the City was awarded \$1.5M (\$500K for FY 22/23, \$500K for FY 23/24, and \$500K for FY 24/25) allocated over a 3-year period.

However, to apply for, receive, and manage the CalVIP Grant Program Funds through the BSCC, the City of Moreno Valley was also required to designate certain City officials who are authorized to execute all pertinent grant applications and related documents.

Through the recommended adoption of Resolution No. 2023-XX, it will authorize the City Manager, City Attorney and Chief Financial Officer to Execute Applications and Documents for the purposes of obtaining, managing, and executing all grant applications and related documents necessary for compliance and successful administration of the CalVIP grant.

With the acceptance of these recommendations, the City will assist in the deterrence and prevention of violence in the Moreno Valley community.

ALTERNATIVES

1. Approve and authorize the recommended actions presented in this staff report. *Staff recommends this alternative as it will allow the City to execute necessary grant documents in order to successfully manage the CalVIP grant.*
2. Do not approve and authorize the recommended actions in this staff report. *Staff does not recommend this alternative as it would prevent from executing necessary grant documents in order to successfully manage the CalVIP grant.*

FISCAL IMPACT

No fiscal impact is requested at this time.

ATTACHMENTS

Attachment 1 – Proposed Resolution NO. 2021-XX

PREPARATION OF STAFF REPORT

Prepared By:
Felicia London
Purchasing & Sustainability Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager/CFO/Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

- 1. CalVIP Signatory Authority Resolution

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:53 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:55 AM

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, RESOLUTION NO. 2023-XX DESIGNATING AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE DOCUMENTS FOR THE FOR THE CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CALVIP) GRANT PROGRAM.

WHEREAS, the City Council of the City of Moreno Valley shall hereby adopt Resolution NO. 2023-xx designating and authorizing City Manager, City Attorney and Chief Financial Officer to execute applications and documents for the purposes of obtaining and managing the California Violence intervention and Prevention (CalVIP) Grant Program Funds and;

WHEREAS, the Board of State and Community Corrections (BSCC) has required that the Moreno Valley City Council designate certain City officials to execute applications and documents in order to comply and successfully administer CalVIP grant funds.

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

1. That the City Manager, City Attorney and Chief Financial Officer are hereby authorized to execute for and on behalf of the City of Moreno Valley, a local government established under the laws of the State of California, applications, and other related documents for the purpose of managing the California Violence intervention and Prevention (CalVIP) Grant Program.
2. 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

3. Effective Date.

That this Resolution shall take effect retroactively to July 1, 2022.

1
Resolution No. 2023-XX
Date Adopted: February 21, 2023

4. Certification.

That the City Clerk shall certify to the passage of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 21 day of February 2023.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: CalVIP Signatory Authority Resolution (6125 : CalVIP Signatory Authority Resolution)

Resolution No. 2023-XX²
Date Adopted: February 21, 2023

RESOLUTION JURAT

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

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2023-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 21st day of February, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Attachment: CalVIP Signatory Authority Resolution (6125 : CalVIP Signatory Authority Resolution)

Resolution No. 2023-XX³
Date Adopted: February 21, 2023



Report to City Council

TO: Mayor and City Council
 Mayor and City Council Acting in its Capacity as
 President and Members of the Board of Directors of the
 Moreno Valley Community Services District (CSD)

FROM: Brian Mohan, Assistant City Manager
 Mike Lee, City Manager

AGENDA DATE: February 21, 2023

TITLE: FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND
 APPROVAL OF THE MID-YEAR BUDGET AMENDMENTS

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2022/23 Mid-Year Budget Review.
2. Adopt Resolution No. 2023-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for fiscal year 2022/23.
3. Approve the City Position Summary.
4. Approve the Salary Schedules effective February 22, 2023.

Recommendations: That the CSD:

1. Adopt Resolution No. CSD 2023-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2022/23.

Recommendation: That the HA:

1. Adopt Resolution No. HA 2023-XX. A resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, adopting the revised operating and capital budget for Fiscal Year 2022/23.

SUMMARY

This report provides the Mid-Year Budget Report, which updates the Mayor and City Council regarding current year financial trends and provides the Fiscal Year 2022/23 Mid-Year Budget Review through December 31, 2022. This report also requests the approval of certain FY 2022/23 revenue and expenditure budget amendments.

DISCUSSION

Based on a long-term practice of maintaining a structurally balanced budget and being identified as one of the most fiscally fit cities in the Country, on May 4, 2021, the City Council continued this trend and adopted the Two-Year Operating Budget for Fiscal Years 2021/22 – 2022/23, while adhering to those past practices. Additionally, as established after the last recession, the budget continues to fund and maintain separate reserves specifically established for periods of economic uncertainty or natural disasters. The budget included all component units of the City, including the General Fund, Community Services District, Housing Authority and Successor Agency. During the two-year budget period, the City Council will be updated of the City's financial condition through the process of Quarterly Budget Reviews. This ongoing process ensures a forum to review expenditure and revenue changes from the estimates made in the budget document. Additionally, any significant changes in projected revenue or unanticipated expenditures that may occur will be presented to the City Council.

This report provides the FY 2022/23 Mid-Year Review for the first six months, July thru December. The Mid-Year budget review will focus primarily on the City's General Fund. This review will also present six-month operational results from other key funds.

The City Council's direction of "Maintain a Balanced General Fund Budget" serves as a foundation for the fiscal status of City operations. Ongoing funding is directed to sustain ongoing operational expenses; one-time funding is directed toward one-time expenditures. This report identifies the budget adjustments as recommended by the City Manager.

FISCAL YEAR 2022/23 MID-YEAR REVIEW:

This Mid-Year Report updates the Mayor and City Council regarding current year financial trends and provides the opportunity for the City Council to review the recommended actions as they relate to revenues and expenditures.

General Fund Revenue Update

Revenue receipts do not follow an even schedule. Although 50% of the fiscal year has elapsed, based on historic trends revenues are estimated to be at approximately 30% of the budgeted amount. Actual revenues received are currently 35% of budget. As the FY 2022/23 revenue estimates were developed prior to the adoption of the budget on May 4, 2021, the revenue estimates may require adjustments based on the FY 2022/23

actuals and revised projections throughout the year. Although there will be variances in some of the amounts budgeted, the total is expected to remain within 1% of the amended budget for the year. It should be noted that the lag in timing of revenue receipts helps illustrate the need for an operating cash reserve throughout each fiscal year.

General Fund Expenditure Update

Although not all expenditures follow a straight-line spending pattern, operating expenditures should track close to within 50% of budget for the year at the end of the first six months. As of December 31, 2022, total General Fund expenditures were at 36%. This pace is within expectations for most activities in the General Fund.

FISCAL YEAR 2022/23 BUDGET ADJUSTMENTS

The FY 2022/23 General Fund revenue budget, as amended, totals approximately \$138.7 million. Based on economic activity and revenue collections through December 2022, staff is recommending Mid-Year budget increase of \$1,569,415 to approximately \$140.3 million.

The FY 2022/23 General Fund expenditures budget as currently amended, and excluding one-time expenditures from fund balance, totals approximately \$141.9 million. The recommended Mid-Year budget amendments increase expenditures by \$1,644,415 to \$143.5 million. The fund continues to be structurally balanced, without the use of fund balance for ongoing operations. The specific budget adjustments for the General Fund are summarized in Exhibit A attached to the City Council Resolutions recommended for approval.

Fund	Type (Rev/Exp)	FY 2022/23 Amended Budget (1)	Proposed Adjustments	FY 2022/23 Amended Budget (2)	Proposed Adjustments (%)
General Fund	Rev	\$138,683,384	\$1,569,415	\$140,252,799	<1%
General Fund	Exp	\$141,899,044	\$1,644,415	\$143,543,459	<1%
	Net Total	(\$3,215,660)	\$75,000	(\$3,290,660)	

Summaries of Other Major Funds

The following provides a summary of some of the proposed budget adjustments to other major funds. A complete list of all changes are identified in Exhibit A to the Resolutions.

American Rescue Plan (Fund 2610)

Adjusting budget for earned revenue.

Electric (Fund 6010)

Adjusting budget for projected expense.

City Position Summary Action

The City Position Summary as amended by the City Council serves as an important internal control tool for City Council to establish authorized positions for the City while enabling staff to manage within the authorized and funded positions. Because of operational changes, some positions are being requested to be adjusted based on current and projected demands for those positions and services. Staff recommends the following updates to the City Position Summary:

<u>Department / Position Title</u>	<u>Adjustment</u>	<u>FY 2022/23 Requested Budget Amendment</u>
<u>Community Development Department</u>		
Animal Control Officer	NE/C15 (1)	\$2,201
Registered Veterinary Technician	NE/C16 1	
<u>Financial & Management Services Department</u>		
Grants Division Manager	DMG/C33 1	\$696,352
Senior Management Analyst	PAM/C27 3	
<u>Parks & Community Services Department</u>		
Community Services Superintendent	PAM/C23 (1)	\$6,665
Community Services Superintendent	PAM/C25 1	
Temp Comm Svcs Assistant Coordinators (Increase hrs from 19/wk to 29/wk)	TEMP/C08	\$11,182
<u>Public Works Department</u>		
Maintenance Worker II	NE/C15 (1)	\$2,201
Maintenance Worker/Work Release Coordinator	NE/C16 1	
Electric Utility Program Coordinator	PAM/C24 (1)	\$10,763
Electric Utility Program Coordinator	PAM/C27 1	
Total Adjustment	4	\$729,364

ALTERNATIVES

1. Approve Recommended Actions as set forth in this staff report, including the approval of the budget adjustments, as presented in Exhibit A. The approval of these items will allow ongoing activities to be carried out in the current fiscal year

and the City is able to modify budgets and operations as necessary through this quarterly review, while retaining a structurally balanced General Fund budget. *Staff recommends this alternative.*

1. Do not approve proposed Recommended Actions as set forth in this staff report, including the resolutions adopting the budget adjustments to the budget, as presented in Exhibit A. *Staff does not recommend this alternative.*

FISCAL IMPACT

The City’s Operating and Capital Budgets provide the funding and expenditure plan for all funds. As such, they serve as the City’s financial plan for the fiscal year. The fiscal impacts for the proposed budget amendments are identified in Exhibit A.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Stephanie Cuff
Senior Management Analyst

Department Head Approval:
Brian Mohan
Chief Financial Officer/City Treasurer

Concurred By:
Launa Jimenez
Financial Resources Division Manager

Approved by:
Mike Lee
City Manager

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

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

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

CITY COUNCIL STRATEGIC PRIORITIES

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

6. Youth Programs

Objective 1.1: Proactively attract high-quality businesses.

Objective 1.2: Market all the opportunities for quality industrial development in Moreno Valley by promoting all high-profile industrial and business projects that set the City apart from others.

Objective 6.2: Improve health, wellness and fitness for Moreno Valley youth through recreation and sports programs.

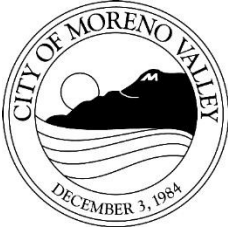
ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. FY 22-23 Mid-Year Financial Summary Report
2. City Resolution 2023-XX
3. CSD Resolution 2023-XX
4. SA Resolution 2023-XX
5. FY 22-23 Mid-Year Exhibit A Proposed Amendments
6. FY 22-23 Mid-Year City Position Summary
7. Salary Schedule Career effective 2.22.23

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 3:15 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 3:29 PM



City of Moreno Valley Fiscal Year 2022/23 Mid-Year Financial Summary

TO: Mayor and City Council

FROM: Brian Mohan, Chief Financial Officer/City Treasurer

DATE: February 21, 2023

INTRODUCTION

On May 4, 2021, the City Council adopted the Two-Year Operating Budget for Fiscal Years (FY) 2021/22 – 2022/23. During the two-year budget period, the City Council will be kept apprised of the City's financial condition through the process of First Quarter, Mid-Year and Third Quarter Reviews. This ongoing process ensures a forum to look at expenditure and revenue deviations from the estimates made in the budget document. Additionally, any significant changes in projected revenue or unanticipated expenditures that may occur will be shared with the City Council.

This report provides a review of the unaudited financial results at the Mid-Year of FY 2022/23 (July 2022 – December 2022, 50% of the fiscal year).

CITYWIDE OPERATING EXPENDITURE SUMMARY

The following table contains a summary of the adopted budget, amended budget and the Mid-Year expenditures. The totals represent each major fund type and component unit of the City.

Table 1. Citywide Operating Expenditures

	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
Fund/Component Unit				
General Fund	\$ 124,521,412	\$ 141,899,044	\$ 50,853,665	35.8%
Community Services District (CSD)	23,946,062	33,665,836	10,568,477	31.4%
Successor Agency	4,173,275	2,677,466	1,360,030	50.8%
Housing Fund	165,000	279,870	31,692	11.3%
Special Revenue Funds	32,127,095	113,925,254	30,750,153	27.0%
Capital Projects Funds	1,213,705	93,007,441	3,595,272	3.9%
Electric Utility Funds	42,022,198	50,602,472	20,114,445	39.7%
Internal Service Funds	11,562,936	12,676,034	6,439,181	50.8%
Debt Service Funds	4,247,163	4,247,163	2,338,418	55.1% *
Total	\$ 243,978,846	\$ 452,980,580	\$ 126,051,335	27.8%

*Due to bond refinancing.

Actions taken by the City Council subsequent to the May 4, 2021 adoption of the two-year budget and included in the Amended Budget are:

- Throughout the fiscal year, there are also budget amendments to reflect the acceptance of grants and adjustments to contractual services and material/supplies. The individual amendments are reviewed as part of separate City Council agenda items.
- The majority of this Mid-Year update will focus on the General Fund, as it supports all basic services provided to City residents. Highlights for other key component funds will be discussed at a summary level as well.

GENERAL FUND OPERATING

Table 2. General Fund Operations

	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 18,838,500	\$ 19,738,500	\$ 5,917,823	30.0%
Property Tax in-lieu	25,623,093	25,623,093	-	0.0%
Utility Users Tax	15,717,540	15,717,540	8,964,989	57.0%
Sales Tax	23,005,000	35,391,098	12,335,660	34.9%
Other Taxes	16,653,787	16,666,375	6,336,116	38.0%
Licenses & Permits	5,364,135	5,364,135	2,670,064	49.8%
Intergovernmental	345,000	610,803	155,520	25.5%
Charges for Services	12,797,871	13,270,371	8,035,409	60.6%
Use of Money & Property	4,669,753	4,669,753	2,889,255	61.9%
Fines & Forfeitures	504,500	504,500	197,005	39.0%
Miscellaneous	166,000	166,000	130,637	78.7%
Total Revenues	\$ 123,685,179	\$ 137,722,168	\$ 47,632,478	34.6%
Expenditures:				
Personnel Services	\$ 25,197,956	\$ 27,760,932	\$ 12,694,133	45.7%
Contractual Services	86,478,353	70,187,477	28,155,365	40.1%
Material & Supplies	2,108,180	3,711,994	990,189	26.7%
General Government	-	-	-	-
Debt Service	-	-	-	-
Fixed Charges	6,171,821	6,171,821	2,947,612	47.8%
Fixed Assets	-	45,739	8,104	17.7%
Total Expenditures	\$ 119,956,310	\$ 107,877,963	\$ 44,795,403	41.5%
<i>Excess (Deficiency) of Revenues Over (Under) Expenditures</i>				
	\$ 3,728,869	\$ 29,844,205	\$ 2,837,075	
Transfers:				
Transfers In	\$ 845,573	\$ 961,216	\$ 50,000	5.2%
Transfers Out	4,565,102	34,021,081	6,058,262	17.8%
Net Transfers	\$ (3,719,529)	\$ (33,059,865)	\$ (6,008,262)	
Total Revenues & Transfers In	\$ 124,530,752	\$ 138,683,384	\$ 47,682,478	34.4%
Total Expenditures & Transfers Out	124,521,412	141,899,044	50,853,665	35.8%
Net Change of Fund Balance	\$ 9,340	\$ (3,215,660)	\$ (3,171,187)	

General Fund Operating Revenues

The General Fund is comprised of several revenue types. However, the main sources include property tax, utility user’s tax, and sales tax. Each of these is affected by different economic activity cycles and pressures.

Table 3. General Fund Operating Revenues

	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 18,838,500	\$ 19,738,500	\$ 5,917,823	30.0%
Property Tax in-lieu	25,623,093	25,623,093	-	0.0%
Utility Users Tax	15,717,540	15,717,540	8,964,989	57.0%
Sales Tax	23,005,000	35,391,098	12,335,660	34.9%
Other Taxes	16,653,787	16,666,375	6,336,116	38.0%
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Use of Money & Property	4,669,753	4,669,753	2,889,255	61.9%
Fines & Forfeitures	504,500	504,500	197,005	39.0%
Miscellaneous	166,000	166,000	130,637	78.7%
Total Revenues	\$ 123,685,179	\$ 137,722,168	\$ 47,632,478	34.6%

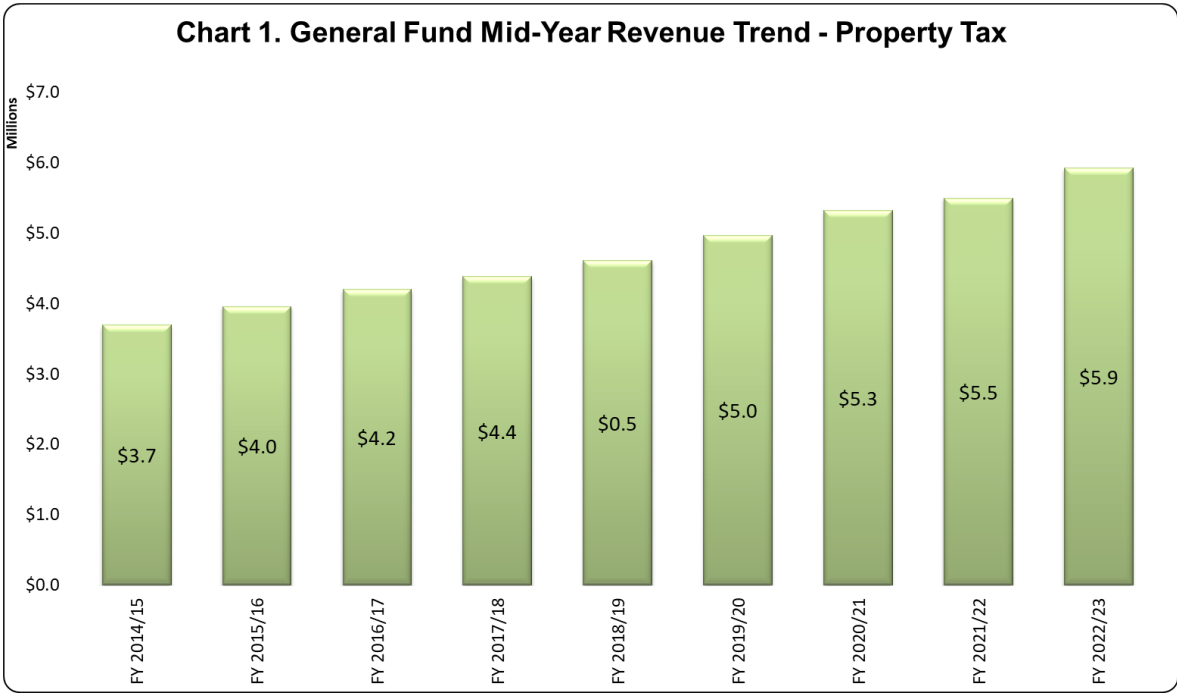
Property Taxes/Property Taxes In-Lieu

Property taxes were budgeted to increase by 8% from the FY 2022/23 Amended Budget. The annual schedule of property tax payments from the County of Riverside will provide payments to the City based on the following estimated schedule:

Secured Property Tax Payment Dates

Settlement 1	January
Settlement 2	May
Settlement 3	August
Teeter Settlement	October

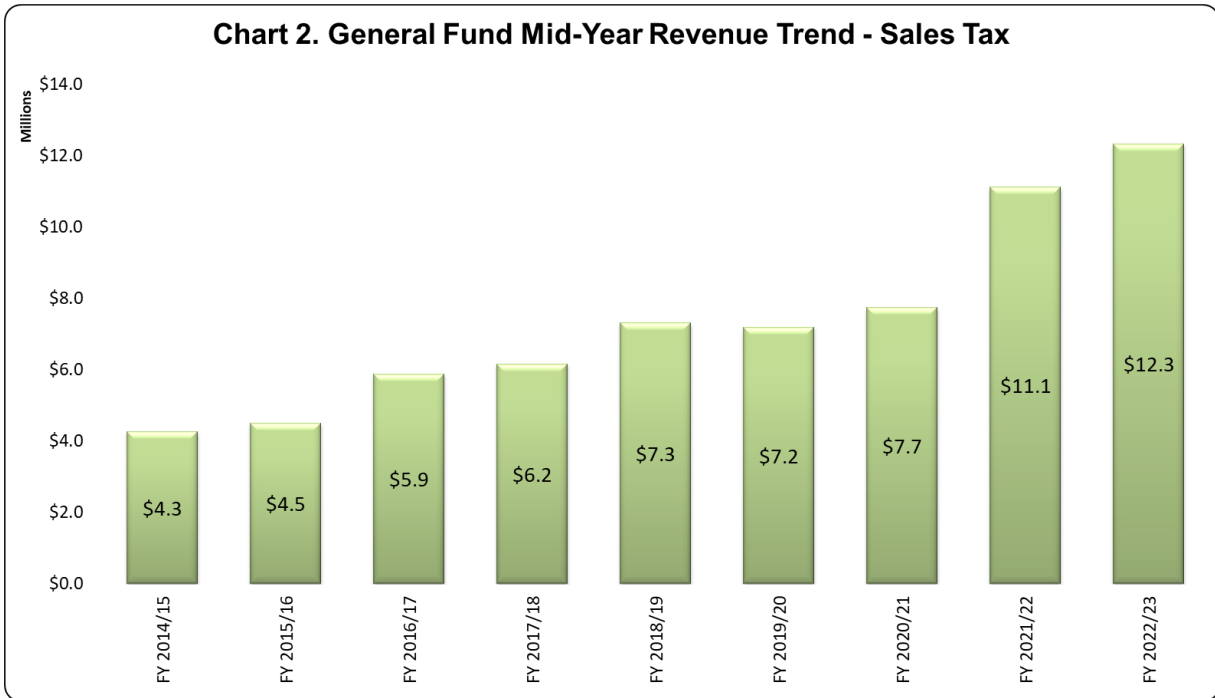
Based on historical averages of actual receipts, the City is estimated to receive less than 13.7% of the budgeted property tax revenue through Mid-Year. The City has currently received 13% through Mid-Year. Property taxes will continue to be monitored as property valuations may adjust through the year based on property sales and assessment appeals filed with the County.



Sales Taxes

Sales taxes were budgeted to increase by 24% as compared to the FY 2022/23 Amended Budget. Sales tax receipt trends will need to be continually monitored through the year for possible future budget adjustments.

Based on historical averages of actual receipts, the City is estimated to receive 34% of the budgeted sales tax revenue through Mid-Year. The City has currently received 35% through Mid-Year.

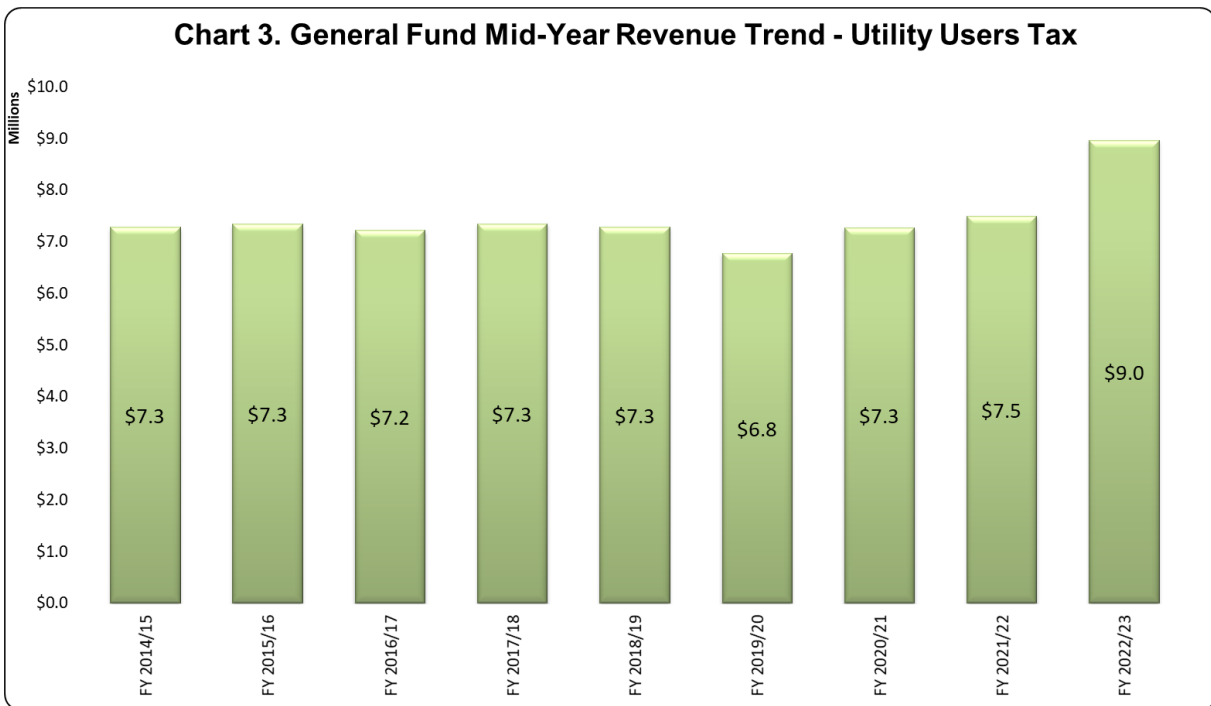


Note: For FY 2017/18, the reversal of revenues accrued to the prior fiscal year in accordance with the Government Accounting Standards Board (GASB) did not occur until the second quarter.

Utility Users Tax Utility

Utility Users Tax were budgeted to remain the same as compared to FY 2022/23 Amended Budget. This projection is primarily due to competitive forces within the communications markets. Both the wireless and wired markets experienced downturns year over year. Based on our discussions with utility tax experts, there are a couple of causes for this trend. First is competition and bundling practices within the market as more small players continue to join the market. Second is the migration of customers from contract plans to prepaid plans.

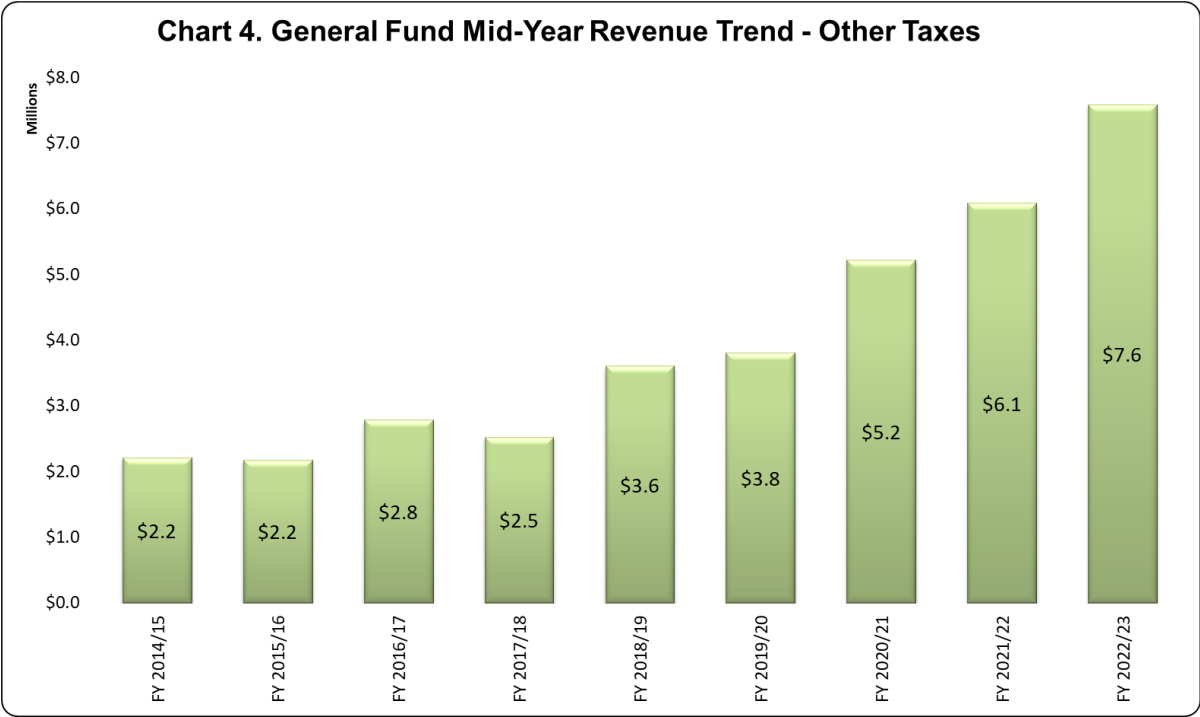
Based on historical averages of actual receipts, the City is estimated to receive 46% of the budgeted utility users tax revenue through Mid-Year. The City has currently received 57% through Mid-Year.



Other Taxes

Other taxes are primarily composed of Business Gross Receipts, Transient Occupancy Tax, Documentary Transfer Tax, and Franchise Fees. Collectively, other taxes were budgeted to increase 9% from the FY 2022/23 Amended Budget.

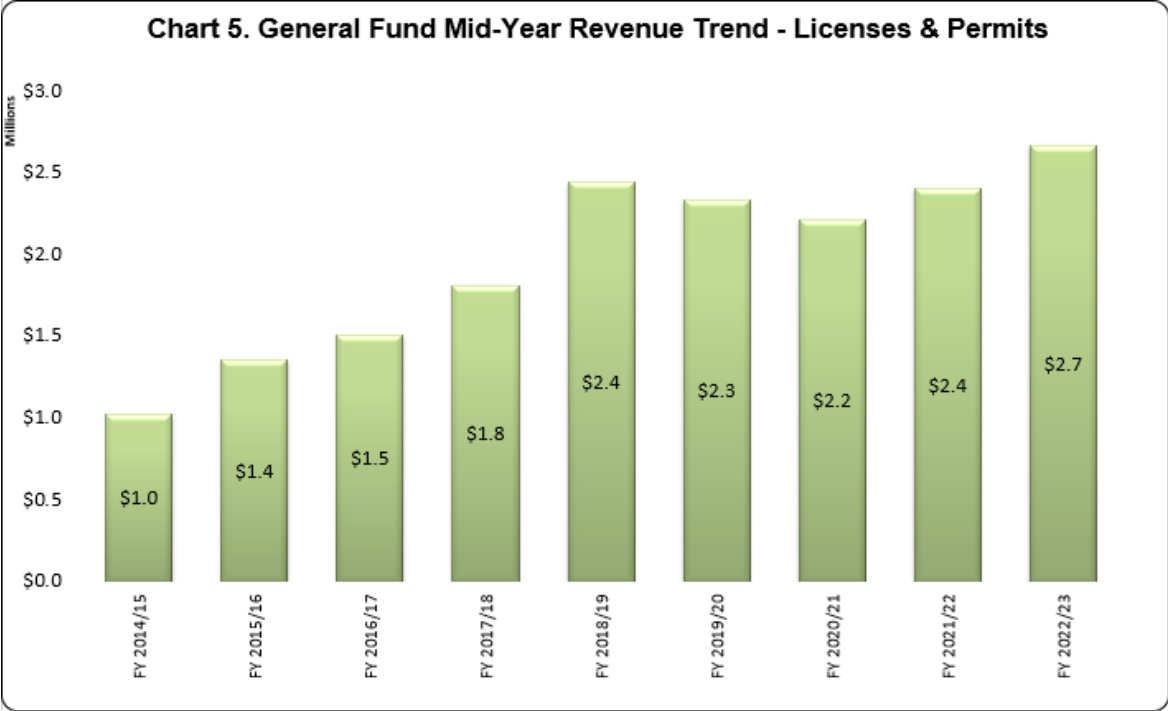
Based on historical averages of actual receipts, the City is estimated to receive 30% of the budgeted Other Taxes revenue through Mid-Year. The City has currently received 45% through Mid-Year.



Licenses & Permits

Licenses & Permits are primarily composed of Business Permits, to include Cannabis Business Permits, as well as Animal Licenses, Building, Electrical, Mechanical, Plumbing and other permits. Collectively, Licenses & Permits were conservatively budgeted to decrease by 2% as compared to the FY 2022/23 Amended Budget. This budget will be monitored for a possible future adjustment.

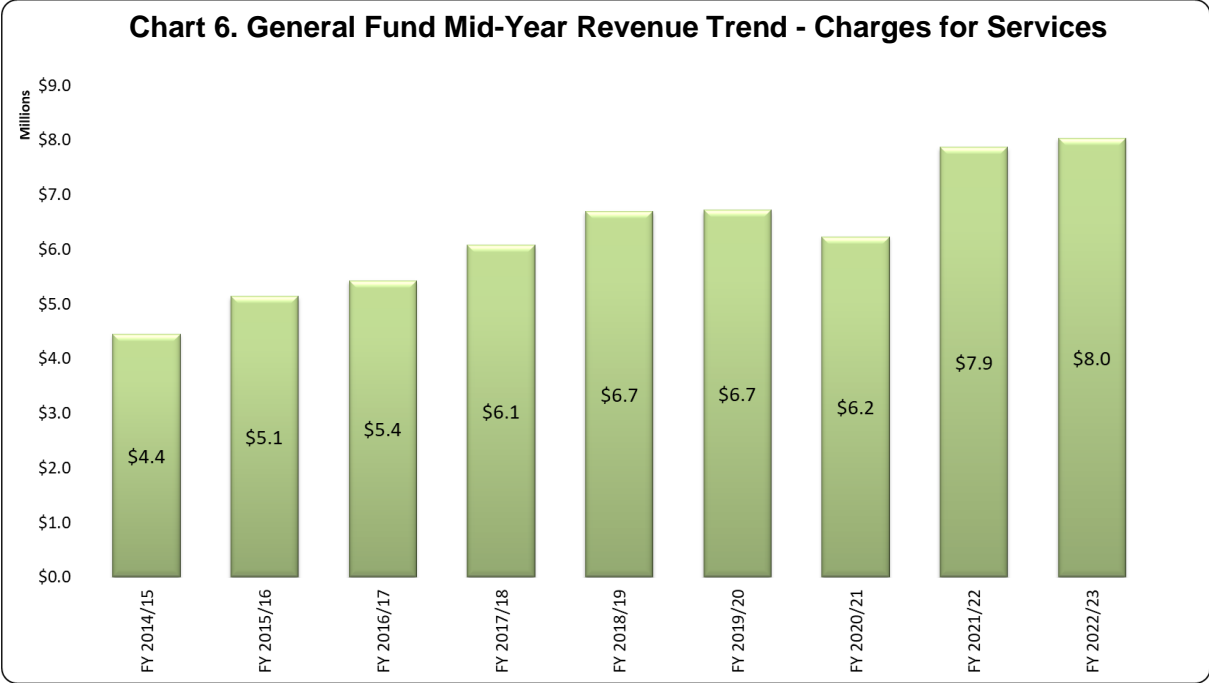
Based on historical averages of actual receipts, the City is estimated to receive 51% of the budgeted Licenses & Permits revenue through Mid-Year. The City has currently received 50% through Mid-Year. The collection rate is related primarily to building and business license permit activities.



Charges for Services

Charges for Services are primarily composed of Plan Check Fees, Inspection Fees, Administrative Charges to other funds, and Parking Control Fines. Collectively, Charges for Services were conservatively budgeted to decrease by 5% as compared to the FY 2022/23 Amended Budget.

Based on historical averages of actual receipts, the City is estimated to receive 51% of the budgeted Charges for Services revenue through Mid-Year. The City has currently received 59% through Mid-Year.



Use of Money and Property

Investment income continues to remain low due to extremely low rates of return for fixed income investments but has increased over the last year due to actions taken by the Federal Open Market Committee (FOMC). The investments achieved a Yield to Maturity (YTM) for December 2022 of 1.62%. In addition, the City maintained funds in the State Local Agency Investment Fund Pool (LAIF) with a YTM of 2.173%. LAIF is realizing considerable investment gains based on the increases to the Federal Funds target rate increase. FOMC is expected to keep rates higher thru 2023 with no reductions until 2024. The FOMC target rate is estimated to be roughly 5.25% at the end of calendar year 2023. Staff will continue to monitor closely to insure we maximize our investment income going forward.

General Fund Expenditures

Expenditures are being spent in-line with prior year expenditures. Each Department's activities will be monitored throughout the year as they may be impacted by different operational activities and project timelines.

Table 4. General Fund Expenditures

Department	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
City Council	\$ 989,295	\$ 1,031,642	\$ 386,280	37.4%
City Clerk	926,131	1,223,051	207,450	17.0%
City Manager	1,635,916	1,657,916	841,813	50.8%
City Attorney	486,154	486,154	458,901	94.4%
Community Development	10,835,694	11,893,379	5,101,268	42.9%
Economic Development	2,237,740	2,237,740	929,045	41.5%
Financial & Management Services	13,755,573	15,339,662	5,741,833	37.4%
Public Works	9,995,500	12,339,140	5,053,958	41.0%
Non-Departmental	6,143,292	34,985,897	8,010,775	22.9%
Non-Public Safety Subtotal	\$ 47,005,295	\$ 81,194,581	\$ 26,731,323	32.9%
Public Safety				
Police	\$ 53,936,492	\$ 40,939,528	\$ 14,914,588	36.4%
Fire	23,579,625	19,764,935	9,207,754	46.6%
Public Safety Subtotal	\$ 77,516,117	\$ 60,704,463	\$ 24,122,342	39.7%
Total	\$ 124,521,412	\$ 141,899,044	\$ 50,853,665	

OTHER KEY FUNDS

The following summaries describe other major funds in the City.

Moreno Valley Community Services District

The Moreno Valley Community Services District (CSD) was formed by the voters in 1984 to collect fees and certain taxes to provide an array of services including parks, recreation and community services, streetlights, landscaping and ongoing maintenance. The CSD provides these services through separate “zones” that define the services that are provided.

For certain zones, the primary revenue source used to provide services to properties is parcel fees or taxes levied on properties via their annual tax bill. Proposition 218, passed by California voters in November 1996, and has posed a serious challenge to managing the future operation of the CSD zones. Prop. 218 requires any revenue increase to be addressed through a voting process by affected property owners. For a period following the initial implementation of Prop. 218, the CSD was successful in receiving approval for some new or increased revenues. There were also revenue increases due to the growth of developed parcels within the zones. However, due to cost increases that exceed any offsetting increases in the revenues over the past years, and the recent economic downturn slowing new parcel growth, property owners have been resistant to efforts to fully fund service levels.

Table 5. CSD Operations

	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 6,066,819	\$ 6,066,819	\$ 2,000,065	33.0%
Other Taxes	6,727,600	6,727,600	59,288	0.9%
Intergovernmental	-	32,035	36,986	115.5%
Charges for Services	5,918,779	5,918,779	573,479	9.7%
Use of Money & Property	1,122,455	995,954	440,594	44.2%
Fines & Forfeitures	30,000	30,000	1,281	4.3%
Miscellaneous	25,210	25,210	21,822	86.6%
Transfers In	1,753,761	8,754,354	3,985,996	45.5%
Total Revenues	\$ 21,644,624	\$ 28,550,751	\$ 7,119,511	24.9%
Expenditures:				
Library Services Fund (5010)	\$ 3,070,222	\$ 3,190,212	\$ 1,359,774	42.6%
Zone A Parks Fund (5011)	10,514,329	18,778,743	6,034,427	32.1%
LMD 2014-01 Residential Street Lighting Fund (5012)	1,657,218	1,657,218	470,492	28.4%
Zone C Arterial Street Lighting Fund (5110)	954,443	954,443	296,472	31.1%
Zone D Standard Landscaping Fund (5111)	1,755,907	2,662,003	480,931	18.1%
Zone E Extensive Landscaping Fund (5013)	420,745	471,745	87,302	18.5%
5014 LMD 2014-02	3,303,829	3,453,225	1,065,429	30.9%
5016 CFD 2021-01 Parks Fac Maint	-	77,000	37,626	48.9%
Zone M Median Fund (5112)	429,025	598,074	117,615	19.7%
CFD No. 1 (5113)	1,751,212	1,687,041	574,902	34.1%
Zone S Financial & Management Svcs (5114)	89,132	89,132	43,507	48.8%
5211 Zone A Parks - Restricted Assets	-	47,000	-	0.0%
Total Expenditures	\$ 23,946,062	\$ 33,665,836	\$ 10,568,477	31.4%
Net Change or Adopted Use of Fund Balance	\$ (2,301,438)	\$ (5,115,085)	\$ (3,448,966)	

Community Services District Zone A – Parks & Community Services

The largest Zone within the CSD is Zone A. It accounts for the administration and maintenance of the Parks & Community Services facilities and programs. Funding sources for these services come from a combination of property taxes, fees for service and smaller amounts from other City funds.

Table 6. CSD Zone A Operations

	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 3,294,219	\$ 3,294,219	\$ 1,030,706	31.3%
Other Taxes	4,977,000	4,977,000	54,126	1.1%
Charges for Services	1,191,129	1,191,129	499,562	41.9%
Use of Money & Property	969,755	969,754	431,487	44.5%
Miscellaneous	25,200	25,200	15,068	59.8%
Transfers In	-	6,991,362	3,495,684	50.0%
Total Revenues	\$ 10,457,303	\$ 17,448,664	\$ 5,526,633	31.7%
Expenditures:				
35010 Parks & Comm Svcs - Admin	\$ 957,175	\$ 1,207,175	\$ 377,813	31.3%
35210 Park Maintenance - General	3,983,393	4,871,180	2,122,414	43.6%
35211 Contract Park Maintenance	472,130	472,130	172,860	36.6%
35212 Park Ranger Program	386,401	489,976	203,238	41.5%
35213 Golf Course Program	497,739	497,739	219,173	44.0%
35214 Parks Projects	89,846	89,846	43,086	48.0%
35310 Senior Program	629,202	629,202	327,065	52.0%
35311 Community Services	345,817	345,817	182,796	52.9%
35312 Community Events	269,983	294,983	278,929	94.6%
35313 Conf & Rec Cntr	476,133	476,133	236,454	49.7%
35314 Conf & Rec Cntr - Banquet	385,340	385,340	179,358	46.5%
35315 Recreation Programs	1,207,890	1,207,890	640,853	53.1%
35317 July 4th Celebration	111,990	111,990	79,425	70.9%
35318 Sports Programs	629,285	629,285	295,920	47.0%
35319 Towngate Community Center	30,200	30,200	18,777	62.2%
35320 Amphitheater	41,805.00	41,805	13,975	33.4%
80003 CIP - Buildings	-	789,200	651,030	82.5%
80007 CIP - Parks	-	6,000,000	4,541	0.1%
95011 Non-Dept Zone A Parks	-	208,852	(13,280)	-6.4%
Total Expenditures	\$ 10,514,329	\$ 18,778,743	\$ 6,034,427	32.1%
Net Change or Adopted Use of Fund Balance	\$ (57,026)	\$ (1,330,079)	\$ (507,794)	

Electric Utility

The Moreno Valley Utility (MVU) manages the operation, maintenance, and business planning of the City's electric utility. MVU's basic purpose is to purchase and distribute electricity to customers in newly developed areas of the City. The City began serving new customers in February 2004, and now serves more than 7,300 customers. As it reaches fiscal and operational maturity, MVU will continue to be a key component of the City's economic development strategy. The City Council has established special tiered rates for electric utility customers based upon factors such as the number of jobs created.

The main revenue source for this fund is derived from charges for services. The customer base includes residential, commercial, and industrial customers. The growth in customer base will continue to provide for the ability to create rate stabilization and replacement reserve funding.

Table 7. MVU Operations

	FY 2022/23 Adopted Budget	FY 2022/23 Amended Budget	Actuals as of 12/31/22 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Charges for Services	\$ 40,397,448	\$ 40,397,448	\$ 26,179,474	64.8%
Use of Money & Property	333,000	333,000	177,498	53.3%
Miscellaneous	152,500	152,500	2,134,422	1399.6%
Total Revenues	\$ 40,882,948	\$ 40,882,948	\$ 28,491,394	69.7%
Expenditures:				
45510 Electric Utility - General	\$ 29,259,887	\$ 32,437,697	\$ 17,239,400	53.1%
45511 Public Purpose Program	1,646,686	1,646,686	632,733	38.4%
45512 SCE Served Street Lights	838,525	1,016,110	350,177	34.5%
80005 CIP - Electric Utility	5,300,900	11,547,366	485,277	4.2%
45530 2005 Lease Revenue Bonds	-	-	-	0.0%
96010 Non-Dept Electric	-	-	2,426	0.0%
96030 Non-Dept 2005 Lease Revenue Bonds	2,639,000	2,639,000	532,204	20.2%
96021 Non-Dept 2016 Tax LRB of 07 Tax	783,287	-	-	0.0%
96031 Non-Dept 2013 Refunding 05 LRB	4,692	4,692	176,392	3759.4%
96032 Non-Dept 2014 Refunding 2005 LRB	119,418	119,418	59,827	50.1%
96040 Non-Dept 2015 Taxable LRB	433,871	-	-	0.0%
96041 Non-Dept 2021 LRB Refinance	-	316,609	319,284	100.8%
96050 Non-Dept 2018 Streetlight Fin	359,307	-	-	0.0%
96051 Non-Dept 2021 Streetlight Refin.	-	238,269	-	0.0%
96060 Non-Dept 2019 Taxable LRB	636,625	636,625	316,725	49.8%
Total Expenditures	\$ 42,022,198	\$ 50,602,472	\$ 20,114,445	39.7%
Net Change or Adopted Use of Fund Balance	\$ (1,139,250)	\$ (9,719,524)	\$ 8,376,949	

MVU's revenues and expenses will fluctuate annually based on energy demands.

SUMMARY

The City of Moreno Valley has experienced certain levels of growth and continued to maintain a structurally balanced Budget without the use of reserves.

The economic climate is ever changing and for these reasons the City must remain optimistically cautious and only increase revenues when they are actually received. Staff will continue to monitor and request quarterly revenue adjustments based on this approach. These revenue adjustments will be offset by replenishing our expenditure levels accordingly.

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE REVISED OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2022/23

WHEREAS, the City Council approved the Operating and Capital Budgets for the City for Fiscal Year 2022/23, a copy of which, as may have been amended by the City Council, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the City Council approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the quarterly budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the City Council proposed amendments to the Operating and Capital Budgets for the City for Fiscal Year 2022/23, a copy of which, as may have been amended by the City Council, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of City services during periods of operational deficits; and

WHEREAS, the City Council has made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

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

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the City Council, are hereby approved and adopted as the annual Operating and Capital Budgets of the City of Moreno Valley for Fiscal Year 2022/23.

Resolution No. 2023-XX
Date Adopted: February 21, 2023

- 2. The Proposed Amendments to City Position Summary included within the staff report and contained in the City Position Summary attached as Attachment 6 and on file in the Office of the City Clerk, and as may have been amended by the City Council, is hereby adopted as part of the Approved City Position Summary of the City of Moreno Valley for Fiscal Year 2022/23.
- 3. Approve the Salary Schedule included within the staff report and contained in the Salary Schedule attached as Attachment 7.
- 4. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal year.
- 5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 21st day of February, 2023.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

2
Resolution No. 2023-XX
Date Adopted: February 21, 2023

RESOLUTION JURAT

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

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2023-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 21st day of February, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2023-XX³
Date Adopted: February 21, 2023

Attachment: City Resolution 2023-XX (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET

RESOLUTION NO. CSD 2023-XX

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE REVISED OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2022/23

WHEREAS, the CSD Board approved the Operating and Capital Budgets for the City for Fiscal Year 2022/23, a copy of which, as may have been amended by the CSD Board, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the CSD Board approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the quarterly budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District proposed amendments to the Operating and Capital Budgets for the District for Fiscal Year 2022/23, a copy of which, as may have been amended by the District's Board of Directors, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contain expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of CSD services during periods of operational deficits; and

WHEREAS, the President and Board of Directors have made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may

1
Resolution No. CSD 2023-XX
Date Adopted: February 21, 2023

Attachment: CSD Resolution 2023-XX (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET

have been amended by the Community Services District’s Board of Directors, is hereby approved and adopted as the annual Operating and Capital Budgets of the Moreno Valley Community Services District for the Fiscal Year 2022/23.

2. The Proposed Amendments to City Position Summary included within the staff report and contained in the City Position Summary attached as Attachment 6 and on file in the Office of the City Clerk, and as may have been amended by the Community Services District’s Board of Directors, is hereby adopted as part of the Approved City Position Summary of the City of Moreno Valley for Fiscal Year 2022/23.
3. Approve the Salary Schedule included within the staff report and contained in the Salary Schedule attached as Attachment 7.
4. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal year.
5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 21st day of February, 2023.

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

2
 Resolution No. CSD 2023-XX
 Date Adopted: February 21, 2023

Attachment: CSD Resolution 2023-XX (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET

RESOLUTION JURAT

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

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-XX was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 21st day of February, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Board members, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-XX³
Date Adopted: February 21, 2023

Attachment: CSD Resolution 2023-XX (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET

RESOLUTION NO. SA 2023-XX
A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY
OF MORENO VALLEY, CALIFORNIA, ADOPTING THE
REVISED OPERATING AND CAPITAL BUDGETS FOR
FISCAL YEAR 2022/23

WHEREAS, the Mayor and City Council of the City of Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley approved the Operating and Capital Budgets for the City for Fiscal Year 2022/23, a copy of which, as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the Mayor and City Council of the City of Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the quarterly budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the Mayor and City Council of the City Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley proposed amendments to the Operating and Capital Budgets for the Agency for Fiscal Year 2022/23, a copy of which, as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contain expenditure requirements and the resources available to the Successor Agency; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley services during periods of operational deficits; and

WHEREAS, the Mayor and City Council have made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO

1
Resolution No. SA 2023-XX
Date Adopted: February 21, 2023

Attachment: SA Resolution 2023-XX (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE MID-YEAR BUDGET

VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is hereby approved and adopted as the annual Operating and Capital Budgets of the Moreno Valley Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley for Fiscal Year 2022/23.
2. The Proposed Amendments to City Position Summary included within the staff report and contained in the City Position Summary attached as Attachment 6 and on file in the Office of the City Clerk, and as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is hereby adopted as part of the Approved City Position Summary of the City of Moreno Valley for Fiscal Year 2022/23.
3. Approve the Salary Schedule included within the staff report and contained in the Salary Schedule attached as Attachment 7.
4. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal year.
5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 21st day of February, 2023.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

2
Resolution No. SA 2023-XX
Date Adopted: February 21, 2023

RESOLUTION JURAT

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

I, Jane Halstead, City Clerk of the City of Moreno Valley, California do hereby certify that Resolution No. SA 2023-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting held on the 21st day of February, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

SECRETARY

(SEAL)

Resolution No. SA 2023-XX
Date Adopted: February 21, 2023

**CITY OF MORENO VALLEY
GENERAL FUND
FY 2022/23 Proposed Amendments**

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2022/23 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Community Development	1010	Admin Citation Fees	1010-20-26-20110-500900		\$ 301,250.00	\$ 150,000.00	\$ 451,250	Projected revenues
Community Development	1010	Foreclosure Registration Fees	1010-20-26-20110-525080		\$ 187,000.00	\$ (92,000.00)	\$ 95,000	Projected revenues
Community Development	1010	Building Permits	1010-20-28-20310-425000		\$ 3,000,000.00	\$ 250,000.00	\$ 3,250,000	Projected revenues
Community Development	1010	Bldg. & Safety Plan Check F	1010-20-28-20310-540000		\$ 1,275,000.00	\$ 175,000.00	\$ 1,450,000	Projected revenues
Financial & Management Services	1010	Reimbursement Agreement	1010-30-34-45310-500600		\$ 371,200.00	\$ (121,200.00)	\$ 250,000	Projected revenues
Fire	1010	Annual Fire Inspection Fees	1010-40-46-30210-520010		\$ 300,800.00	\$ (75,000.00)	\$ 225,800	Projected revenues
Fire	1010	Annual Fire Inspection Fees	1010-40-46-30211-520010		\$ 179,400.00	\$ (30,000.00)	\$ 149,400	Projected revenues
Financial & Management Services	1010	Sales Tax - General	1010-99-99-91010-402000		\$ 35,516,098.00	\$ 1,334,391.00	\$ 36,850,489	Projected revenues
Financial & Management Services	1010	Administrative Charges	1010-99-99-91010-585020		\$ 3,550,465.00	\$ 224.00	\$ 3,550,689	Fund closeout
City Manager	1010	Transfers in - from EQUIP REPLACEMENT (FURN & EQUIP)	1010-99-99-91010-807510		\$ 115,643.00	\$ (22,000.00)	\$ 93,643	Media equipment replacement
REVENUE TOTAL					\$ 44,796,856	\$ 1,569,415	\$ 46,366,271	

City Council	1010	Marketing Svcs - Advertising	1010-10-01-10010-620610		\$ 5,200.00	\$ (3,000.00)	\$ 2,200	Adjusting budget based on projected operational changes
City Council	1010	Marketing Svcs - PR/Promotions	1010-10-01-10010-620620		\$ 22,000.00	\$ (2,000.00)	\$ 20,000	Adjusting budget based on projected operational changes
City Manager	1010	Mach-Equip-Repl - Furn & Equip	1010-16-16-16110-660320		\$ 22,000.00	\$ (22,000.00)	\$ -	Media equipment replacement
Community Development	1010	Salaries-Regular - Other	1010-20-26-20110-611199		\$ 554,840.00	\$ 178,370.00	\$ 733,210	Adjusting budget based on projected operational changes
Community Development	1010	Salaries-Temporary	1010-20-26-20110-611310		\$ 68,509.00	\$ 26,500.00	\$ 95,009	Adjusting budget based on projected operational changes
Community Development	1010	Contractual Svcs - Other	1010-20-28-20310-625099		\$ 524,480.00	\$ 425,000.00	\$ 949,480	Projected expenses
Community Development	1010	Salaries-Regular - Other	1010-20-38-18210-611199		\$ -	\$ 2,201.00	\$ 2,201	Adjusting budget based on projected operational changes
Financial & Management Services	1010	Salaries-Regular - Other	1010-30-33-25020-611199		\$ -	\$ 93,795.00	\$ 93,795	Adjusting budget based on projected operational changes
Financial & Management Services	1010	Salaries-Regular	1010-30-33-25212-611110		\$ 230,710.00	\$ (83,048.00)	\$ 147,662	Adjusting budget based on projected operational changes
Financial & Management Services	1010	Salaries-Regular	1010-30-34-18310-611110		\$ 481,448.00	\$ (93,795.00)	\$ 387,653	Adjusting budget based on projected operational changes
Financial & Management Services	1010	Software Subscriptions	1010-30-34-18310-625012		\$ -	\$ 25,000.00	\$ 25,000	Certificate of Insurance Software Subscription
Financial & Management Services	1010	Contractual Svcs - Other	1010-30-34-45310-625099		\$ 340,000.00	\$ (150,000.00)	\$ 190,000	Projected revenues
Financial & Management Services	1010	Salaries-Regular - Other	1010-30-92-72100-611199		\$ -	\$ 696,352.00	\$ 696,352	Adjusting budget based on projected operational changes
Fire	1010	Maint & Repair - Bldg & Ground	1010-40-45-30110-620910		\$ 74,400.00	\$ 25,000.00	\$ 99,400	Fire Station Landscape Improvements
Fire	1010	Agency Svcs - Cnty	1010-40-46-30211-620320		\$ 732,600.00	\$ 90,100.00	\$ 822,700	Adjusting budget based on projected operational changes
Fire	1010	Communications	1010-40-47-30310-620410		\$ 11,700.00	\$ 25,000.00	\$ 36,700	EOC Upgrade
Fire	1010	Maint & Repair - Bldg & Ground	1010-40-47-30310-620910		\$ 1,000.00	\$ 35,200.00	\$ 36,200	EOC Upgrade
Fire	1010	Software Maint/Support/License	1010-40-47-30310-625010		\$ 6,000.00	\$ 300,000.00	\$ 306,000	EOC Upgrade
Fire	1010	Oper Suppl - Printing & Binding	1010-40-47-30310-630214		\$ 500.00	\$ 25,000.00	\$ 25,500	Projected expenses
Fire	1010	Oper Mtrls - Furn & Equip	1010-40-47-30310-630330		\$ 4,100.00	\$ 25,300.00	\$ 29,400	EOC Upgrade
Fire	1010	Computers - Misc Components	1010-40-47-30310-630910		\$ -	\$ 25,000.00	\$ 25,000	EOC Upgrade
Public Works	1010	Salaries-Regular - Other	1010-70-78-45311-611199		\$ 1,102,122.00	\$ 440.00	\$ 1,102,562	Adjusting budget based on projected operational changes
EXPENSE TOTAL					\$ 4,181,609	\$ 1,644,415	\$ 5,826,024	

Attachment: FY 22-23 Mid-Year Exhibit A Proposed Amendments (6086 : FISCAL YEAR 2022/23 MID-

**CITY OF MORENO VALLEY
NON-GENERAL FUND
FY 2022/23 Proposed Amendments**

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2022/23 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Parks & Community Services	2202	Contributions - In Kind	2202-50-92-75312-582012		\$ 2,340,053.00	\$ 298,123.00	2,638,176.00	Grant Award Adjusted
Community Development	2300	State Grant-Operating Revenue	2300-20-38-73312-486000		\$ 52,307.00	\$ 81,500.00	133,807.00	Grant Award Adjusted
Financial & Management Services	2300	Fed Grant-Operating Revenue	2300-30-92-72120-485000		\$ -	\$ 1,500,000.00	1,500,000.00	CalVIP grant
Parks & Community Services	2300	Fed Grant-Operating Revenue	2300-50-92-75014-485000		\$ 45,784.00	\$ 4,216.00	50,000.00	Grant Award Adjusted
Financial & Management Services	2517	NSP #3 Program Income	2517-30-36-72703-485220		\$ -	\$ (10,000.00)	(10,000.00)	Grant Award Adjusted
Financial & Management Services	2610	Interest Income - Investments	2610-99-99-92610-480010		\$ 75,000.00	\$ -	75,000.00	Projected revenues
Financial & Management Services	2610	Fed Grant-Operating Revenue	2610-99-99-92610-485000		\$ -	\$ 24,177,658.00	24,177,658.00	Projected revenues
Public Works	3311	Transfers in - from DIF - INTERCHG IMPROV	3311-99-99-93311-802911		\$ -	\$ 400,000.00	400,000.00	Reallocation of CIP funds
REVENUE TOTAL					\$ 2,513,144	\$ 26,676,497	\$ 29,189,641	

Public Works	2000	Salaries-Regular - Other	2000-70-78-45311-611199		\$ -	\$ 1,760.00	1,760.00	Adjusting budget based on projected operational changes
Public Works	2001	Maint & Repair - Bldg & Ground	2001-70-78-45315-620910		\$ 29,000.00	\$ 16,000.00	45,000.00	Projected expenses
City Attorney	2013	Admin Chrg - GF - Cost Alloc	2013-14-10-14011-692010		\$ -	\$ 224.00	224.00	Fund closeout
Parks & Community Services	2201	Salaries-Regular	2201-50-92-75011-611110		\$ 166,868.00	\$ (63,049.00)	103,819.00	Adjusting budget based on projected operational changes
Parks & Community Services	2202	Salaries-Regular	2202-50-92-75312-611110		\$ 93,960.00	\$ (20,160.00)	73,800.00	Grant Award Adjusted
Parks & Community Services	2202	Donated Goods & Services	2202-50-92-75312-625025		\$ 2,340,053.00	\$ 298,122.00	2,638,175.00	Grant Award Adjusted
Parks & Community Services	2202	Contractual Svcs - Other	2202-50-92-75312-625099		\$ 6,859,887.00	\$ (697.00)	6,859,190.00	Grant Award Adjusted
Parks & Community Services	2202	Oper Suppl - Office	2202-50-92-75312-630210		\$ 1,000.00	\$ 315.00	1,315.00	Grant Award Adjusted
Parks & Community Services	2202	Oper Mtrls - Recreation	2202-50-92-75312-630312		\$ -	\$ (10,000.00)	(10,000.00)	Grant Award Adjusted
Parks & Community Services	2202	Oper Mtrls - Bldg-Plumb and Elec	2202-50-92-75312-630318		\$ -	\$ (500.00)	(500.00)	Grant Award Adjusted
Parks & Community Services	2202	Oper Mtrls - Furn & Equip	2202-50-92-75312-630330		\$ 100.00	\$ (1,900.00)	(1,800.00)	Grant Award Adjusted
Parks & Community Services	2202	Oper Mtrls - Other	2202-50-92-75312-630399		\$ 1,560.00	\$ (1,381.00)	179.00	Grant Award Adjusted
Community Development	2300	Professional Svcs - Veterinary Svcs	2300-20-38-73312-620250		\$ 52,307.00	\$ 81,500.00	133,807.00	Grant Award Adjusted
Financial & Management Services	2300	Contractual Svcs - Other	2300-30-92-72120-625099		\$ -	\$ 1,500,000.00	1,500,000.00	CalVIP grant
Parks & Community Services	2300	Salaries-Reimbursable (In/Out)	2300-50-92-75014-611510		\$ 2,289.00	\$ 211.00	2,500.00	Grant Award Adjusted
Parks & Community Services	2300	Contractual Svcs - Other	2300-50-92-75014-625099		\$ 43,495.00	\$ 4,005.00	47,500.00	Grant Award Adjusted
Financial & Management Services	2507	Transfers to COMM DEV BLK GRANTS (CDBG)	2507-99-99-92507-902512		\$ 8,000.00	\$ (424.00)	7,576.00	Fund closeout
Financial & Management Services	2517	Professional Svcs - Other	2517-30-36-72703-620299		\$ -	\$ (10,000.00)	(10,000.00)	Grant Award Adjusted
Public Works	2911	Transfers to DIF INTERCHANGE IMPRV CAP PROJ	2911-99-95-92911-903311		\$ -	\$ 400,000.00	400,000.00	Reallocation of CIP funds
Parks & Community Services	5011	Salaries-Regular - Other	5011-50-57-35210-611199		\$ 887,787.00	\$ 53,981.00	941,768.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Overtime	5011-50-57-35210-611210		\$ 17,000.00	\$ 25,000.00	42,000.00	Projected expenses
Parks & Community Services	5011	Salaries-Temporary	5011-50-57-35210-611310		\$ 40,000.00	\$ 25,000.00	65,000.00	Projected expenses
Parks & Community Services	5011	ISF - TS Oper	5011-50-57-35210-690118		\$ 125,518.00	\$ 1,059.00	126,577.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - Risk - General Liability	5011-50-57-35210-690210		\$ 69,442.00	\$ 5,918.00	75,360.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - Risk - Workers Comp	5011-50-57-35210-690220		\$ 47,058.00	\$ 4,432.00	51,490.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - Purchasing - Copier Charge	5011-50-57-35210-690320		\$ 1,135.00	\$ 46.00	1,181.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Admin Chrg - GF - Cost Alloc	5011-50-57-35210-692010		\$ 108,957.00	\$ 7,746.00	116,703.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Admin Chrg - OPEB	5011-50-57-35210-692012		\$ 67,498.00	\$ 5,799.00	73,297.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Admin Chrg - Fleet Ops	5011-50-57-35210-692050		\$ 252,537.00	\$ 9,489.00	262,026.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular	5011-50-57-35212-611110		\$ 157,582.00	\$ (77,457.00)	80,125.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular - Holiday	5011-50-57-35212-611112		\$ -	\$ 2,466.00	2,466.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular - Leave - Annual	5011-50-57-35212-611120		\$ -	\$ 3,201.00	3,201.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular - Leave - Other	5011-50-57-35212-611140		\$ -	\$ 896.00	896.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular - FMLA - Other Leave	5011-50-57-35212-611152		\$ -	\$ 105.00	105.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular - Other	5011-50-57-35212-611199		\$ 103,575.00	\$ (103,575.00)	-	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Overtime	5011-50-57-35212-611210		\$ 6,000.00	\$ (1,411.00)	4,589.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Temporary	5011-50-57-35212-611310		\$ 18,000.00	\$ (11,026.00)	6,974.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Addl - Bilingual	5011-50-57-35212-611620		\$ 1,080.00	\$ (581.00)	499.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Benefits - PERS & ERPD Def Comp	5011-50-57-35212-612110		\$ 64,026.00	\$ (28,919.00)	35,107.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Benefits - Bank	5011-50-57-35212-612120		\$ 45,061.00	\$ (23,586.00)	21,475.00	Adjusting budget based on projected operational changes

Attachment: FY 22-23 Mid-Year Exhibit A Proposed Amendments (6086 : FISCAL YEAR 2022/23 MID-

Parks & Community Services	5011	Benefits - Medicare	5011-50-57-35212-612130	\$ 2,960.00	\$ (1,613.00)	1,347.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Benefits - Group Life Insurance	5011-50-57-35212-612140	\$ 777.00	\$ (332.00)	445.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Benefits - ST/LT Disability	5011-50-57-35212-612145	\$ 1,545.00	\$ (682.00)	863.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Benefits - Addl % Mgmt Pkg	5011-50-57-35212-612150	\$ 392.00	\$ (331.00)	61.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Benefits - Annuity	5011-50-57-35212-612160	\$ 1,710.00	\$ 290.00	2,000.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Leave Payouts - Annual	5011-50-57-35212-613110	\$ -	\$ 351.00	351.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - TS Oper	5011-50-57-35212-690118	\$ 2,115.00	\$ (1,059.00)	1,056.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - Risk - General Liability	5011-50-57-35212-690210	\$ 11,834.00	\$ (5,918.00)	5,916.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - Risk - Workers Comp	5011-50-57-35212-690220	\$ 8,866.00	\$ (4,432.00)	4,434.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	ISF - Purchasing - Copier Charge	5011-50-57-35212-690320	\$ 94.00	\$ (46.00)	48.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Admin Chrg - GF - Cost Alloc	5011-50-57-35212-692010	\$ 15,498.00	\$ (7,746.00)	7,752.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Admin Chrg - OPEB	5011-50-57-35212-692012	\$ 11,595.00	\$ (5,799.00)	5,796.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Admin Chrg - Fleet Ops	5011-50-57-35212-692050	\$ 17,319.00	\$ (9,489.00)	7,830.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Oper Mtrls - Other	5011-50-58-35312-630399	\$ -	\$ 5,000.00	5,000.00	Adjusting budget based on projected operational changes
Parks & Community Services	5011	Salaries-Regular - Other	5011-99-99-95011-611199	\$ 208,852.00	\$ 6,665.00	215,517.00	Adjusting budget based on projected operational changes
Parks & Community Services	5113	Salaries-Regular - Other	5113-50-57-35216-611199	\$ -	\$ 12,000.00	12,000.00	Adjusting budget based on projected operational changes
Financial & Management Services	6010	Salaries-Regular - Other	6010-70-80-45510-611199	\$ -	\$ -	-	Adjusting budget based on projected operational changes
Public Works	6010	Distribution Share	6010-70-80-45510-710122	\$ 6,140,000.00	\$ 1,500,000.00	7,640,000.00	Projected expenses
Financial & Management Services	6012	Salaries-Regular - Other	6012-70-80-45511-611199	\$ -	\$ 10,763.00	10,763.00	Adjusting budget based on projected operational changes
Public Works	6041	Interest Expense	6041-99-99-96041-670410	\$ 316,159.00	\$ 316,159.00	632,318.00	Projected expenses
City Manager	7510	Transfers to GENERAL FUND	7510-99-97-88190-901010	\$ 115,643.00	\$ (22,000.00)	93,643.00	Media equipment replacement
EXPENSE TOTAL				\$ 18,466,134	\$ 3,884,390	\$ 22,350,524	

City of Moreno Valley
FY 2021/22 - 2022/23
City Position Summary

Attachment: FY 22-23 Mid-Year City Position Summary (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE

Position Title	FY	FY	FY	FY	FY
	2020/21	2021/22	2021/22	2022/23	2022/23
	No.	Adj.	No.	Adj.	No.
Accountant I	1	-	1	-	1
Accountant II	1	-	1	-	1
Accounting Asst	3	-	3	-	3
Accounting Technician	1	-	1	-	1
Accounts Payable Supervisor	1	-	1	-	1
Administrative Asst	7	-	7	-	7
Animal Care Technician	5	-	5	-	5
Animal Care Technician Supervisor	1	-	1	-	1
Animal Control Officer	7	-	7	(1)	6
Animal Rescue Coordinator	1	-	1	-	1
Animal Services Assistant	4	-	4	-	4
Animal Services Dispatcher	1	-	1	-	1
Animal Services Division Manager	1	-	1	-	1
Animal Services Field Supervisor	1	-	1	-	1
Animal Services License Inspector	1	-	1	-	1
Animal Svcs Office Supervisor	1	-	1	-	1
Applications & DB Admin	1	-	1	-	1
Applications Analyst	1	-	1	-	1
Assistant Engineer	-	2	2	-	2
Assistant to the City Manager	-	1	1	-	1
Associate Engineer I	2	-	2	-	2
Associate Engineer	2	(2)	-	-	-
Associate Engineer I / II	-	2	2	1	3
Associate Planner	4	-	4	-	4
Asst Crossing Guard Spvr	1	-	1	-	1
Asst Network Administrator	1	-	1	-	1
Assistant City Manager (Development Services)	1	-	1	-	1
Assistant City Manager (Administration)/Chief Financial Officer	1	-	1	-	1
Audio Visual Technician	-	2	2	-	2
Banquet Facility Rep	1	-	1	-	1
Building Safety Supervisor	1	-	1	-	1
Building Division Manager / Official	-	1	1	-	1
Building Inspector I I	4	-	4	-	4
Business License Liaison	1	-	1	-	1
Cable TV Producer	2	(2)	-	-	-
Child Care Asst	4	-	4	-	4
Child Care Instructor I I	4	-	4	-	4
Child Care Program Manager	1	-	1	-	1
Child Care Site Supervisor	4	-	4	-	4
City Clerk	1	-	1	-	1
City Manager	1	-	1	-	1
Code & Neigh Svcs Division Manager	1	(1)	-	-	-
Code Compliance Officer I	2	(2)	-	-	-
Code Compliance Officer I I	2	(2)	-	-	-
Community Dev Director	1	-	1	-	1

City of Moreno Valley
FY 2021/22 - 2022/23
City Position Summary

Position Title	FY	FY	FY	FY	FY
	2020/21	2021/22	2021/22	2022/23	2022/23
	No.	Adj.	No.	Adj.	No.
Community Enhancement Division Manager	-	1	1	-	1
Community Enhancement Officer I	1	5	6	-	6
Community Enhancement Officer II	1	2	3	-	3
Community Enhancement Supervisor	-	1	1	-	1
Community Services Assistant Coordinator	4	-	4	-	4
Community Services Coordinator	4	-	4	-	4
Community Svcs Superintendent	1	-	1	-	1
Community Svcs Supervisor	4	-	4	-	4
Construction Inspector	2	-	2	-	2
Construction Inspector Supervisor	1	-	1	-	1
Crossing Guard	35	-	35	-	35
Crossing Guard Supervisor	1	-	1	-	1
Deputy City Clerk	1	-	1	-	1
Deputy City Manager	1	-	1	-	1
Deputy Finance Director	1	-	1	-	1
Economic Dev Director	1	-	1	-	1
Economic Dev Division Mgr	2	-	2	-	2
Electric Utility Chief Engineer	1	-	1	-	1
Electric Utility Division Mgr	1	-	1	-	1
Electric Utility Program Coord	1	-	1	-	1
Emerg Mgmt & Vol Svc Prog Spec	1	-	1	-	1
Emerg Mgmt & Vol Svcs Prog Mgr	1	-	1	-	1
Engineering Division Manager	1	-	1	-	1
Engineering Technician I I	1	(1)	-	-	-
Enterprise Systems Admin	1	-	1	-	1
Equipment Operator	4	2	6	-	6
Exec Asst to Mayor / City Council	1	-	1	-	1
Executive Asst I	6	(1)	5	-	5
Facilities Maint Mechanic	1	-	1	-	1
Facilities Maint Worker	3	-	3	-	3
Financial Operations Div Mgr	-	-	-	1	1
Financial Resources Div Mgr	1	-	1	-	1
Fleet & Facilities Maintenance Supervisor	1	-	1	-	1
GIS Administrator	1	-	1	-	1
GIS/Applications Analyst	1	-	1	-	1
GIS Specialist	1	-	1	-	1
Grants Division Manager	-	-	-	1	1
Grants Program Manager	-	1	1	-	1
Human Resources Analyst	1	-	1	-	1
Human Resources Division Manager	1	-	1	-	1
Info Technology Technician	2	-	2	-	2
Landscape Svcs Inspector	2	-	2	-	2
Landscape Services Supervisor	1	-	1	(1)	-
Lead Facilities Maint Worker	1	-	1	-	1
Lead Maintenance Worker	4	-	4	-	4

City of Moreno Valley
FY 2021/22 - 2022/23
City Position Summary

Attachment: FY 22-23 Mid-Year City Position Summary (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE

Position Title	FY	FY	FY	FY	FY
	2020/21	2021/22	2021/22	2022/23	2022/23
	No.	Adj.	No.	Adj.	No.
Lead Parks Maint Worker	6	1	7	-	7
Lead Traffic Sign/Marking Tech	2	-	2	-	2
Lead Vehicle / Equip Tech	1	-	1	-	1
Maint & Operations Div Mgr	1	-	1	-	1
Maintenance Worker II	1	-	1	-	1
Maintenance Worker I/II	17	10	27	(1)	26
Maintenance Worker/Work Release Coordinator	-	-	-	1	1
Management Aide	7	1	8	(1)	7
Management Analyst	13	(5)	8	-	8
Management Asst	7	-	7	1	8
Media & Communications Division Manager	1	-	1	-	1
Network Administrator	1	-	1	-	1
Network Systems Specialist	-	1	1	-	1
Paralegal	1	-	1	-	1
Park Ranger	3	1	4	-	4
Parking Control Officer	2	-	2	-	2
Parks & Community Services Deputy Director	1	-	1	-	1
Parks & Community Services Director	1	-	1	-	1
Parks Maintenance Superintendent	-	1	1	(1)	-
Parks & Landscape Services Division Manager	-	-	-	1	1
Parks Maint Supervisor	2	-	2	-	2
Parks Maint Worker	12	6	18	-	18
Parks Project Manager	-	-	-	1	1
Payroll Supervisor	1	-	1	-	1
Permit Technician	5	(1)	4	-	4
Planning Commissioner	7	-	7	-	7
Planning Div Mgr / Official	1	-	1	-	1
Principal Accountant	1	-	1	-	1
Principial Engineer	2	-	2	-	2
Principial Engineer / City Traf Engr	1	-	1	-	1
Principal Planner	1	-	1	-	1
Public Information/Intergovernmental Relations Officer	1	-	1	-	1
Public Safety Contract Administrator	1	-	1	-	1
Purchasing Div Mgr	1	-	1	-	1
PW Director / City Engineer	1	(1)	-	-	-
Recycling Specialist	1	-	1	-	1
Registered Veterinary Technician	-	-	-	1	1
Security Guard	2	-	2	-	2
Spec Districts Div Mgr	1	-	1	-	1
Special Events & Facilities Division Manager	-	-	-	1	1
Sr Accountant	3	1	4	-	4
Sr Administrative Asst	14	(1)	13	-	13
Sr Applications Analyst	1	-	1	-	1
Sr Code Compliance Officer	1	(1)	-	-	-
Sr. Community Enhancement Officer	1	1	2	-	2

City of Moreno Valley
 FY 2021/22 - 2022/23
 City Position Summary

Position Title	FY	FY	FY	FY	FY
	2020/21	2021/22	2021/22	2022/23	2022/23
	No.	Adj.	No.	Adj.	No.
Sr Construction Inspector	2	-	2	-	2
Sr Deputy City Clerk	1	-	1	-	1
Sr Electrical Engineer	1	-	1	-	1
Sr Engineer, P.E.	4	-	4	1	5
Sr Engineering Technician	1	(1)	-	-	-
Sr Equipment Operator	1	-	1	-	1
Sr Graphics Designer	1	-	1	-	1
Sr Human Resources Analyst	1	-	1	-	1
Sr Landscape Svcs Inspector	-	1	1	-	1
Sr Management Analyst	4	5	9	3	12
Sr Office Asst	4	(1)	3	-	3
Sr Parking Control Officer	1	-	1	-	1
Sr Parks Maint Technician	2	-	2	-	2
Sr Payroll Technician	1	-	1	-	1
Sr Permit Technician	2	1	3	-	3
Sr Planner	1	-	1	-	1
Sr Telecomm Technician	1	-	1	-	1
Sr Traffic Signal Technician	1	-	1	-	1
Storekeeper	-	1	1	-	1
Strategic Initiatives Manager	1	-	1	-	1
Street Maintenance Supervisor	2	-	2	-	2
Telecomm Engineer / Admin	1	-	1	-	1
Telecomm Technician	1	-	1	-	1
Traffic Operations Supervisor	1	-	1	-	1
Traffic Sign / Marking Tech I	1	-	1	-	1
Traffic Sign/Marking Tech II	2	-	2	-	2
Traffic Signal Technician	2	-	2	-	2
Treasury Operations Div Mgr	1	-	1	(1)	-
Vehicle / Equipment Technician	3	-	3	-	3
Total	351	29	380	7	387

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%
Accountant I	NE	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Accountant II	PAM	C24	Annual	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	100,028.66	102,529.44
			Monthly	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,335.72	8,544.12
			Hourly	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	48.0907	49.2930
Accounting Assistant	NE	C14	Annual	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	61,408.67	62,943.92
			Monthly	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,117.39	5,245.33
			Hourly	21.4934	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	29.5234	30.2615
Accounting Technician	NE	C17	Annual	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	71,088.37	72,865.52
			Monthly	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	5,924.03	6,072.13
			Hourly	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	34.1771	35.0315
Accounts Payable Supervisor	NE	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Administrative Assistant	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633
Animal Care Technician	NE	C11	Annual	38,618.94	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	53,046.86	54,373.07
			Monthly	3,218.25	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,420.57	4,531.09
			Hourly	18.5668	19.4951	20.4699	21.4934	22.5681	23.6965	24.8813	25.5033	26.1409
Animal Care Technician Supervisor	PAM	C21	Annual	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	86,408.40	88,568.69
			Monthly	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,200.70	7,380.72
			Hourly	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	41.5425	42.5811
Animal Control Officer	NE	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746
Animal Rescue Coordinator	NE	C11	Annual	38,618.94	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	53,046.86	54,373.07
			Monthly	3,218.25	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,420.57	4,531.09
			Hourly	18.5668	19.4951	20.4699	21.4934	22.5681	23.6965	24.8813	25.5033	26.1409
Animal Services Assistant	NE	C10	Annual	36,780.02	38,618.94	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	50,520.91	51,783.89
			Monthly	3,065.00	3,218.25	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,210.08	4,315.32
			Hourly	17.6827	18.5668	19.4951	20.4699	21.4934	22.5681	23.6965	24.2889	24.8961
Animal Services Dispatcher	NE	C10	Annual	36,780.02	38,618.94	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	50,520.91	51,783.89
			Monthly	3,065.00	3,218.25	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,210.08	4,315.32
			Hourly	17.6827	18.5668	19.4951	20.4699	21.4934	22.5681	23.6965	24.2889	24.8961
Animal Services Division Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Animal Services Field Supervisor	PAM	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE											
			A	B	C	D	E	F	G	H	I		
			5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%	
Animal Services License Inspector	NE	C11	Annual	38,618.94	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	53,046.86	54,373.07	
			Monthly	3,218.25	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,420.57	4,531.09	
			Hourly	18.5668	19.4951	20.4699	21.4934	22.5681	23.6965	24.8813	25.5033	26.1409	
Animal Services Office Supervisor	PAM	C21	Annual	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,408.40	88,568.69	
			Monthly	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,200.70	7,380.72	
			Hourly	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	41.5425	42.5811	
Applications & Data Base Administrator	PAM	C29	Annual	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	127,664.78	130,856.34	
			Monthly	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,638.73	10,904.70	
			Hourly	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	61.3773	62.9117	
Applications Analyst	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02	
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34	
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577	
Assistant to the City Manager	PAM	C24	Annual	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	100,028.66	102,529.44	
			Monthly	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,335.72	8,544.12	
			Hourly	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	48.0907	49.2930	
Assistant Crossing Guard Supervisor	NE	C05	Annual				33,360.70	35,028.66	36,780.02	38,618.94	39,584.48	40,574.14	
			Monthly				2,780.06	2,919.06	3,065.00	3,218.25	3,298.71	3,381.18	
			Hourly				16.0388	16.8407	17.6827	18.5668	19.0310	19.5068	
Assistant Engineer	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02	
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34	
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577	
Assistant Network Administrator	PAM	C26	Annual	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	110,281.81	113,038.85	
			Monthly	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,190.15	9,419.90	
			Hourly	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	53.0201	54.3456	
Assistant Planner	PAM	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22	
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77	
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102	
Associate Engineer I	PAM	C28	Annual	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	121,585.57	124,625.28	
			Monthly	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,132.13	10,385.44	
			Hourly	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	58.4546	59.9160	
Associate Engineer II	PAM	C29	Annual	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	127,664.78	130,856.34	
			Monthly	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,638.73	10,904.70	
			Hourly	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	61.3773	62.9117	
Associate Planner	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02	
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34	
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577	
Audio Visual Technician	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06	
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76	
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832	
Banquet Facility Representative	PAM	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18	
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52	
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222	

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%
Building Safety Supervisor	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Building Division Manager / Building Official	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660
Building Inspector I I	NE	C24	Annual	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	100,028.66	102,529.44
			Monthly	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,335.72	8,544.12
			Hourly	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	48.0907	49.2930
Business License Liaison	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633
Cable Television Producer	NE	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746
Child Care Assistant	GRA	CC09	Annual		33,912.32	35,607.94	37,388.42	39,257.92	41,220.82	43,281.89	44,363.90	45,472.96
			Monthly		2,826.03	2,967.33	3,115.70	3,271.49	3,435.07	3,606.82	3,696.99	3,789.41
			Hourly		16.3040	17.1192	17.9752	18.8740	19.8177	20.8086	21.3288	21.8620
Child Care Instructor II	GRA	CC11	Annual	36,625.47	38,456.70	40,379.46	42,398.51	44,518.45	46,744.46	49,081.55	50,308.75	51,566.32
			Monthly	3,052.12	3,204.73	3,364.96	3,533.21	3,709.87	3,895.37	4,090.13	4,192.40	4,297.19
			Hourly	17.6084	18.4888	19.4132	20.3839	21.4031	22.4733	23.5969	24.1869	24.7915
Child Care Program Manager	PAM	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222
Child Care Site Supervisor	GRA	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746
Code & Neighborhood Services Division Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Code Compliance Officer I	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Code Compliance Officer I I	NE	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534
Community Enhancement Division Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Community Enhancement Supervisor	PAM	C23	Annual	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	95,265.46	97,647.06
			Monthly	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	7,938.79	8,137.26
			Hourly	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	45.8007	46.9457

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%	
Community Enhancement Officer I	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Community Enhancement Officer II	NE	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534
Community Services Assistant Coordinator	NE	C08	Annual	33,360.70	35,028.66	36,780.02	38,618.94	40,549.81	42,577.39	44,706.27	45,823.86	46,969.52
			Monthly	2,780.06	2,919.06	3,065.00	3,218.25	3,379.15	3,548.12	3,725.52	3,818.66	3,914.13
			Hourly	16.0388	16.8407	17.6827	18.5668	19.4951	20.4699	21.4934	22.0307	22.5815
Community Services Coordinator	NE	C10	Annual	36,780.02	38,618.94	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	50,520.91	51,783.89
			Monthly	3,065.00	3,218.25	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,210.08	4,315.32
			Hourly	17.6827	18.5668	19.4951	20.4699	21.4934	22.5681	23.6965	24.2889	24.8961
Community Services Superintendent	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Community Services Supervisor	PAM	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222
Construction Inspector	NE	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Construction Inspector Supervisor	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Crossing Guard Supervisor	NE	C07	Annual		33,360.70	35,028.66	36,780.02	38,618.94	40,549.81	42,577.39	43,641.73	44,732.69
			Monthly		2,780.06	2,919.06	3,065.00	3,218.25	3,379.15	3,548.12	3,636.81	3,727.72
			Hourly		16.0388	16.8407	17.6827	18.5668	19.4951	20.4699	20.9816	21.5061
Deputy City Clerk	NE	C17	Annual	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	71,088.37	72,865.52
			Monthly	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	5,924.03	6,072.13
			Hourly	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	34.1771	35.0315
Deputy City Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Deputy Finance Director	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660
Economic Development Division Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Electric Utility Chief Engineer	PAM	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%	
Electric Utility Division Manager	DMG	C36	Annual	147,106.96	154,462.26	162,185.30	170,294.59	178,809.28	187,749.74	197,137.20	202,065.55	207,117.25
			Monthly	12,258.91	12,871.86	13,515.44	14,191.22	14,900.77	15,645.81	16,428.10	16,838.80	17,259.77
			Hourly	70.7245	74.2607	77.9737	81.8724	85.9660	90.2643	94.7775	97.1469	99.5756
Electric Utility Program Coordinator	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Emergency Management & Volunteer Services Program Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Emergency Management & Volunteer Services Program Specialist	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633
Engineering Division Manager/Assistant City Engineer	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660
Engineering Technician I I	NE	C21	Annual	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	86,408.40	88,568.69
			Monthly	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,200.70	7,380.72
			Hourly	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	41.5425	42.5811
Enterprise Systems Administrator	PAM	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602
Equipment Operator	NE	C17	Annual	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	71,088.37	72,865.52
			Monthly	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	5,924.03	6,072.13
			Hourly	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	34.1771	35.0315
Executive Assistant I	NE	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222
Exec Assistant to Mayor & City Council	PAM	C21	Annual	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	86,408.40	88,568.69
			Monthly	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,200.70	7,380.72
			Hourly	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	41.5425	42.5811
Facilities Maintenance Mechanic	NE	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746
Facilities Maintenance Worker	NE	C13	Annual	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	58,484.40	59,946.43
			Monthly	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,873.70	4,995.54
			Hourly	20.4699	21.4934	22.5681	23.6965	24.8813	26.1254	27.4317	28.1175	28.8204
Financial Operations Division Manager	DMG	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544
Financial Resources Division Manager	DMG	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%
Fleet & Facilities Maintenance Supervisor	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Geographic Information System Administrator	PAM	C29	Annual	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	127,664.78	130,856.34
			Monthly	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,638.73	10,904.70
			Hourly	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	61.3773	62.9117
Geographic Information System / Application Analyst	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Geographic Information System Specialist	NE	C21	Annual	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	86,408.40	88,568.69
			Monthly	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,200.70	7,380.72
			Hourly	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	41.5425	42.5811
Grants Division Manager	DMG	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544
Grant Program Manager	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Human Resources Analyst	PAM	C24	Annual	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	100,028.66	102,529.44
			Monthly	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,335.72	8,544.12
			Hourly	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	48.0907	49.2930
Human Resources Division Manager	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660
Information Technology Technician	NE	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534
Landscape Services Inspector	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Lead Facilities Maintenance Worker	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Lead Maintenance Worker	NE	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222
Lead Parks Maintenance Worker	NE	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746
Lead Traffic Signing / Marking Technician	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE		SALARY										
				A	B	C	D	E	F	G	H	I		
				5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%		
Lead Vehicle / Equip Technician	NE	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,334.18			
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52		
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222		
Maintenance & Operations Division Manager	DMG	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22		
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44		
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602		
Maintenance Worker I	NE	C12	Annual	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	55,699.28	57,091.84		
			Monthly	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,641.61	4,757.65		
			Hourly	19.4951	20.4699	21.4934	22.5681	23.6965	24.8813	26.1254	26.7785	27.4480		
Maintenance Worker I I	NE	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17		
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60		
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746		
Maintenance Worker / Work Release Coordinator	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66		
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97		
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633		
Management Aide	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06		
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76		
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832		
Management Analyst	PAM	C24	Annual	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	100,028.66	102,529.44		
			Monthly	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,335.72	8,544.12		
			Hourly	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	48.0907	49.2930		
Management Assistant	PAM	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22		
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77		
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102		
Media & Communications Division Manager	DMG	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15		
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43		
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544		
Network Administrator	PAM	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22		
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44		
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602		
Network & Systems Specialist	PAM	C24	Annual	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	100,028.66	102,529.44		
			Monthly	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,335.72	8,544.12		
			Hourly	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	48.0907	49.2930		
Paralegal	NE	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07		
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26		
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534		
Park Ranger	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66		
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97		
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633		
Parking Control Officer	NE	C12	Annual	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	55,699.28	57,091.84		
			Monthly	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,641.61	4,757.65		
			Hourly	19.4951	20.4699	21.4934	22.5681	23.6965	24.8813	26.1254	26.7785	27.4480		

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%	
Parks & Community Services Deputy Director	DMG	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602
Parks & Landscape Services Division Manager	DMG	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602
Parks Maintenance Supervisor	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Parks Maintenance Worker	NE	C12	Annual	40,549.81	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	55,699.28	57,091.84
			Monthly	3,379.15	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,641.61	4,757.65
			Hourly	19.4951	20.4699	21.4934	22.5681	23.6965	24.8813	26.1254	26.7785	27.4480
Parks Project Manager	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Payroll Supervisor	PAM	C26	Annual	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	110,281.81	113,038.85
			Monthly	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,190.15	9,419.90
			Hourly	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	53.0201	54.3456
Permit Technician	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Planning Division Manager / Official	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660
Principal Accountant	PAM	C28	Annual	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	121,585.57	124,625.28
			Monthly	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,132.13	10,385.44
			Hourly	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	58.4546	59.9160
Principal Engineer	DMG	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544
Principal Engineer / City Traffic Engineer	DMG	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544
Principal Planner	PAM	C33	Annual	118,415.02	124,335.74	130,552.45	137,080.11	143,934.13	151,130.93	158,687.57	162,654.75	166,721.15
			Monthly	9,867.92	10,361.31	10,879.37	11,423.34	11,994.51	12,594.24	13,223.96	13,554.56	13,893.43
			Hourly	56.9303	59.7768	62.7656	65.9039	69.1991	72.6591	76.2921	78.1994	80.1544
Public Information & Intergovernmental Relations Officer	PAM	C28	Annual	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	121,585.57	124,625.28
			Monthly	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,132.13	10,385.44
			Hourly	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	58.4546	59.9160
Public Safety Contracts Administrator	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE	GRADE									
			A	B	C	D	E	F	G	H	I	
			5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%
Purchasing Division Manager	DMG	C32	Annual	110,153.68	115,661.31	121,444.34	127,516.48	133,892.30	140,586.99	147,616.35	151,306.69	155,089.38
			Monthly	9,179.47	9,638.44	10,120.36	10,626.37	11,157.69	11,715.58	12,301.36	12,608.89	12,924.12
			Hourly	52.9585	55.6064	58.3867	61.3060	64.3713	67.5899	70.9694	72.7436	74.5622
Recycling Specialist	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633
Registered Veterinary Technician	NE	C16	Annual	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	67,703.17	69,395.66
			Monthly	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,641.93	5,782.97
			Hourly	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	32.5496	33.3633
Security Guard	NE	C08	Annual	33,360.70	35,028.66	36,780.02	38,618.94	40,549.81	42,577.39	44,706.27	45,823.86	46,969.52
			Monthly	2,780.06	2,919.06	3,065.00	3,218.25	3,379.15	3,548.12	3,725.52	3,818.66	3,914.13
			Hourly	16.0388	16.8407	17.6827	18.5668	19.4951	20.4699	21.4934	22.0307	22.5815
Senior Accountant	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Senior Administrative Assistant	NE	C17	Annual	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	71,088.37	72,865.52
			Monthly	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	5,924.03	6,072.13
			Hourly	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	34.1771	35.0315
Senior Applications Analyst	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	56.6710	57.0628
Senior Code Compliance Officer	PAM	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Senior Community Enhancement Officer	PAM	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Senior Construction Inspector	PAM	C23	Annual	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	95,265.46	97,647.06
			Monthly	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	7,938.79	8,137.26
			Hourly	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	45.8007	46.9457
Senior Deputy City Clerk	NE	C21	Annual	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	86,408.40	88,568.69
			Monthly	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,200.70	7,380.72
			Hourly	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	41.5425	42.5811
Senior Electrical Engineer	PAM	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602
Senior Engineer, P.E.	PAM	C31	Annual	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	137,317.44	140,750.48	144,269.22
			Monthly	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,443.12	11,729.21	12,022.44
			Hourly	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	66.0180	67.6685	69.3602
Senior Engineering Technician	NE	C23	Annual	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	95,265.46	97,647.06
			Monthly	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	7,938.79	8,137.26
			Hourly	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	45.8007	46.9457

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%	
Senior Equipment Operator	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Senior Graphics Designer	NE	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222
Senior Human Resources Analyst	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Senior Landscape Services Inspector	PAM	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534
Senior Management Analyst	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Senior Office Assistant	NE	C13	Annual	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	58,484.40	59,946.43
			Monthly	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,873.70	4,995.54
			Hourly	20.4699	21.4934	22.5681	23.6965	24.8813	26.1254	27.4317	28.1175	28.8204
Senior Parking Control Officer	NE	C14	Annual	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	61,408.67	62,943.92
			Monthly	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,117.39	5,245.33
			Hourly	21.4934	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	29.5234	30.2615
Senior Parks Maintenance Technician	NE	C19	Annual	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	78,374.82	80,334.18
			Monthly	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,531.24	6,694.52
			Hourly	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	37.6802	38.6222
Senior Payroll Technician	NE	C18	Annual	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	74,642.88	76,509.06
			Monthly	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,220.24	6,375.76
			Hourly	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	35.0107	35.8860	36.7832
Senior Permit Technician	NE	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534
Senior Planner	PAM	C27	Annual	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	115,795.68	118,690.62
			Monthly	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,649.64	9,890.89
			Hourly	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	54.3132	55.6710	57.0628
Senior Telecomm Technician	NE	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Senior Traffic Signal Technician	PAM	C23	Annual	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	95,265.46	97,647.06
			Monthly	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	7,938.79	8,137.26
			Hourly	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	44.6836	45.8007	46.9457
Special Districts Division Manager	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET

CITY OF MORENO VALLEY
SALARY SCALE - CAREER POSITIONS
EFFECTIVE 02/21/2023

TITLE	GRP	GRADE										
			A	B	C	D	E	F	G	H	I	
			5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	2.5%	2.5%	
Special Events & Facilities Division Manager	DMG	C30	Annual	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	130,778.54	134,048.10	137,399.39
			Monthly	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,898.21	11,170.68	11,449.95
			Hourly	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	62.8743	64.4462	66.0574
Storekeeper	NE	C14	Annual	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	61,408.67	62,943.92
			Monthly	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,117.39	5,245.33
			Hourly	21.4934	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	29.5234	30.2615
Strategic Initiatives Manager	DMG	C34	Annual	127,296.21	133,661.01	140,344.05	147,361.34	154,729.33	162,465.89	170,589.12	174,853.95	179,225.28
			Monthly	10,608.02	11,138.42	11,695.34	12,280.11	12,894.11	13,538.82	14,215.76	14,571.16	14,935.44
			Hourly	61.2001	64.2601	67.4731	70.8468	74.3891	78.1086	82.0140	84.0644	86.1660
Street Maintenance Supervisor	PAM	C25	Annual	76,463.30	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	105,030.22	107,656.02
			Monthly	6,371.94	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,752.52	8,971.34
			Hourly	36.7612	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	50.4953	51.7577
Telecommunications Engineer / Administrator	PAM	C29	Annual	92,941.89	97,589.02	102,468.50	107,591.95	112,971.46	118,620.11	124,551.02	127,664.78	130,856.34
			Monthly	7,745.16	8,132.42	8,539.04	8,966.00	9,414.29	9,885.01	10,379.25	10,638.73	10,904.70
			Hourly	44.6836	46.9178	49.2637	51.7269	54.3132	57.0289	59.8803	61.3773	62.9117
Telecommunications Technician	NE	C20	Annual	59,910.86	62,906.48	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	82,293.74	84,351.07
			Monthly	4,992.57	5,242.21	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	6,857.81	7,029.26
			Hourly	28.8033	30.2435	31.7557	33.3435	35.0107	36.7612	38.5993	39.5643	40.5534
Traffic Operations Supervisor	PAM	C26	Annual	80,286.54	84,300.94	88,516.06	92,941.89	97,589.02	102,468.50	107,591.95	110,281.81	113,038.85
			Monthly	6,690.55	7,025.08	7,376.34	7,745.16	8,132.42	8,539.04	8,966.00	9,190.15	9,419.90
			Hourly	38.5993	40.5293	42.5558	44.6836	46.9178	49.2637	51.7269	53.0201	54.3456
Traffic Signal Technician	NE	C22	Annual	66,051.86	69,354.48	72,822.26	76,463.30	80,286.54	84,300.94	88,516.06	90,728.98	92,997.22
			Monthly	5,504.32	5,779.54	6,068.52	6,371.94	6,690.55	7,025.08	7,376.34	7,560.75	7,749.77
			Hourly	31.7557	33.3435	35.0107	36.7612	38.5993	40.5293	42.5558	43.6197	44.7102
Traffic Signing & Marking Tech I	NE	C13	Annual	42,577.39	44,706.27	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	58,484.40	59,946.43
			Monthly	3,548.12	3,725.52	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,873.70	4,995.54
			Hourly	20.4699	21.4934	22.5681	23.6965	24.8813	26.1254	27.4317	28.1175	28.8204
Traffic Signing & Marking Tech II	NE	C15	Annual	46,941.65	49,288.72	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	64,479.17	66,091.17
			Monthly	3,911.80	4,107.39	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,373.26	5,507.60
			Hourly	22.5681	23.6965	24.8813	26.1254	27.4317	28.8033	30.2435	30.9996	31.7746
Vehicle / Equipment Technician	NE	C17	Annual	51,753.10	54,340.83	57,057.94	59,910.86	62,906.48	66,051.86	69,354.48	71,088.37	72,865.52
			Monthly	4,312.76	4,528.40	4,754.83	4,992.57	5,242.21	5,504.32	5,779.54	5,924.03	6,072.13
			Hourly	24.8813	26.1254	27.4317	28.8033	30.2435	31.7557	33.3435	34.1771	35.0315

Attachment: Salary Schedule Career effective 2.22.23 (6086 : FISCAL YEAR 2022/23 MID-YEAR BUDGET



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NOS. 74 AND 75 (RESO. NOS. 2023- __ AND 2023-__)

RECOMMENDED ACTION

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2022-__, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said District (Amendment No. 74) (D.R. Horton Los Angeles Holding Company, Inc., located near the northeast corner of Alessandro Blvd. and Lasselle St.)

2. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2022-__, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said District (Amendment No. 75) (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.)

SUMMARY

Adoption of the resolutions will certify the annexation of six parcels into Community Facilities District (CFD) No. 2014-01 (Maintenance Services) ("District"). This action impacts only the property owners identified below, 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 developments (e.g., the cost of operation and maintenance of public street lighting, landscape, and/or streets and drainage). The City created CFD No. 2014-01 to provide the development community with a funding mechanism to assist in satisfying the requirement. After a property owner elects to annex their property into the District and the City Council approves the annexation, a special tax can be levied on the annual property tax bill of the annexed parcels to fund the cost to provide the services.

The Property Owners, as defined below, have elected to annex the parcels of their project into the District to satisfy the condition. The Property Owners submitted a Landowner Petition approving the annexation and the City Clerk confirmed the Petition is valid.

DISCUSSION

As a condition of approval for the development projects identified below, the Property Owners are required to provide an ongoing funding source for certain public services (i.e., the operation and maintenance services of public street lighting, landscape, and/or streets and drainage), which are required to be installed as part of the development project. The table below provides information for the properties under development.

Property Owners Project ACP Record #	Amendment No.	APNs	Location
D.R. Horton Los Angeles Holding Company, Inc., Inc. TTM 38123, 177 SF Homes PEN21-0136/SCP22-0098	74	487-470-028 487-470-036 487-574-001 487-574-002	Northeast corner of Alessandro Blvd. and Lasselle St.
Hakan Buwan TTM 37462, 8 SF Homes PEN18-0080/SCP22-0100	75	478-090-030 478-090-031	Northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.

The City Council formed CFD No. 2014-01 (Maintenance Services) to provide an alternative funding tool for the development community. It provides a mechanism to fund the operation and maintenance of public street lighting services, landscaping, and streets and drainage. After a landowner approves annexation of their property into the District and the City Council approves the annexation, the City is authorized to levy a special tax onto the annual property tax bill to fund the services related to or impacted by their development.

The Third Amended and Restated Rate and Method of Apportionment of Special Tax (“RMA”) for the District describes the different special tax rate areas, services provided, and formula to calculate the special tax rate for each of the tax rate areas. Several special tax rate areas were created to accommodate a variety of scenarios to ensure costs are fairly shared between property owners. For example, there is a tax rate area for “single-family residential street lighting” and one for “street lighting for property other

than single-family residential” (e.g., commercial, industrial, or multi-family projects). Different tax rate areas 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 (i.e. medians, parkways, and/or traffic circles). A property owner’s proportionate share of landscape maintenance costs will vary depending upon the total square footage of landscaping to be maintained and the number of properties sharing in the cost for that development. There is also a tax rate area for streets and drainage within single-family residential projects, which is calculated based on each parcel’s proportionate share of the improvements.

On April 20, 2021, the City Council adopted Ordinance No. 980, which designated the entire territory of the City as a future annexation area for the District. With the future annexation area designated, 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 they are receiving.

With the establishment of the District, a property owner now has two options to satisfy the conditions of approval:

1. Submit a Landowner Petition unanimously approving annexation of the 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 of the property. This option is only available if there are fewer than 12 registered voters living within the proposed annexation area; or
2. Establish a homeowner or property owner association to provide the ongoing operation and maintenance of the improvements.

The Property Owners elected to annex their property into CFD No. 2014-01 and have the special tax applied to the annual property tax bill. The Office of the Riverside County Registrar of Voters confirmed there were no registered voters residing at the property, allowing a special election of the landowner. Adoption of the attached resolutions (Attachments 1-2) amends the District and adds the properties to the tax rate area identified in the Fiscal Impact section of this report and directs the recordation of the boundary maps (Attachments 3-4) and amended notice of special tax liens for the amendments. The City Clerk received and reviewed the Landowner Petitions and confirmed the Property Owners unanimously approved the annexation of their property into the District (Attachments 5-6).

Successful completion of the annexation process satisfies the project’s condition of approval to provide a funding source for the operation and maintenance of public street lighting, public landscaping and/or streets and drainage.

ALTERNATIVES

1. Adopt the resolutions. *Staff recommends this alternative as it will annex the properties into CFD No. 2014-01 at the request of the Property*

Owners and satisfy the condition of approval for the proposed developments.

2. Do not adopt the resolutions. *Staff does not recommend this alternative as it is contrary to the request of the Property Owners, will not satisfy the condition of approval, and may delay development of the projects.*
3. Do not adopt the resolutions but rather continue the item to a future regularly scheduled City Council meeting. *Staff does not recommend this alternative as it will delay the Property Owners from satisfying the condition of approval and may delay development of the projects.*

FISCAL IMPACT

Revenue received from the special tax is restricted and can only be used to fund the services for each tax rate area within the District. The special tax can only be applied to a property tax bill of a parcel wherein the qualified electors (i.e., landowners or registered voters, depending upon the number of registered voters) have previously provided approval. The maximum special tax rates for the tax rate areas are detailed below. If the projected revenue from the maximum special tax exceeds what is necessary to fund the services within the tax rate area, a lower amount will be applied to the property tax bill for all the properties within the affected tax rate area.

Property Owners Project ACP Record #	Amendment No.	Tax Rate Area FY 2022/23 Maximum Special Tax Rate ¹	
D.R. Horton Los Angeles Holding Company, Inc., Inc. TTM 38123, 177 SF Homes PEN21-0136/SCP22-0098	74	SL-01A	\$295.94/parcel
		LM-01D	\$191.48/parcel
		SD-01	\$959.12/parcel and \$2.66/proportional curb foot
		TC-01A	\$25.28/parcel
Hakan Buvan TTM 37462, 8 SF Homes PEN18-0080/SCP22-0100	75	SL-01B	\$93.00/parcel

Property Owners Project ACP Record #	Amendment No.	Tax Rate Area FY 2022/23 Maximum Special Tax Rate ¹
<p>¹The special tax applied to the property tax bill will be based on the needs of the tax rate area within the District. The applied special tax rate cannot exceed the maximum special tax rate.</p> <p>The FY 2022/23 applied rate for SL-01A (Street Lighting for Single-Family Residential, Perimeter and Interior Street Lighting) is \$31.50/parcel.</p> <p>The FY 2022/23 applied rate for LM-01D (Single-Family Residential Landscaping) is \$0/parcel. As of FY 2022/23, there were no parcels in this tax rate area.</p> <p>The FY 2022/23 applied rate for SD-01 (Street Maintenance and Drainage) is \$959.12/parcel and \$0/proportional curb foot.</p> <p>The FY 2022/23 applied rate for TC-01A (Traffic Circle Landscaping without Monument for SFR) is \$0/parcel. As of FY 2022/23, there were no parcels in this tax rate area.</p> <p>The FY 2022/23 applied rate for SL-01B (Street Lighting for Single-Family Residential, Perimeter Street Lighting Only) is \$6.76/parcel.</p>		

The maximum special tax rate is subject to an annual inflation adjustment based on the change in the Consumer Price Index (CPI) or five percent (5%), whichever is greater. However, the annual adjustment cannot be applied unless the City Council annually authorizes such adjustment. The increase to the maximum special tax rate cannot exceed the annual inflationary adjustment without a two-thirds approval of the qualified electors within the affected tax rate area.

NOTIFICATION

The Landowner Petitions were e-mailed to the Property Owners on December 14, 2022 and February 6, 2023. A copy of the RMA was included with each Landowner Petition as Exhibit B.

PREPARATION OF STAFF REPORT

Prepared by:
Kimberly Ganimian
Special Districts Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

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

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

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

- 1. Resolution - Amendment No. 74
- 2. Resolution - Amendment No. 75
- 3. Boundary Map - Amendment No. 74
- 4. Boundary Map - Amendment No. 75
- 5. Certificate of Election Official - Amendment No. 74
- 6. Certificate of Election Official - Amendment No. 75

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:47 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:49 AM

RESOLUTION NO. 2023-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND APPROVING THE AMENDED MAP FOR SAID DISTRICT

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"), a citywide district, 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 authorized an annual special tax to be levied 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, by its Ordinance No. 980, the City Council authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD to fund Drainage and Street Maintenance Services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the City Council, by its Ordinance No. 980 designated the entire territory of the City as a future annexation area for the CFD and approved the third 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 territory shown on the boundary map (the "Boundary Map") "Amendment No. 74 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.

Resolution No. 2023-__
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY

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 Areas indicated on Exhibit A to this Resolution.

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.

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

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

Resolution No. 2023-____
Date Adopted: February 21, 2023

pursuant to Section 3113 of the Streets and Highways Code.

5. Notice of Special Tax Lien. The City Council directs that an amended 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 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 21st day of February, 2023.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY

RESOLUTION JURAT

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

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2023-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 21st day of February 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2023-____ 4
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY

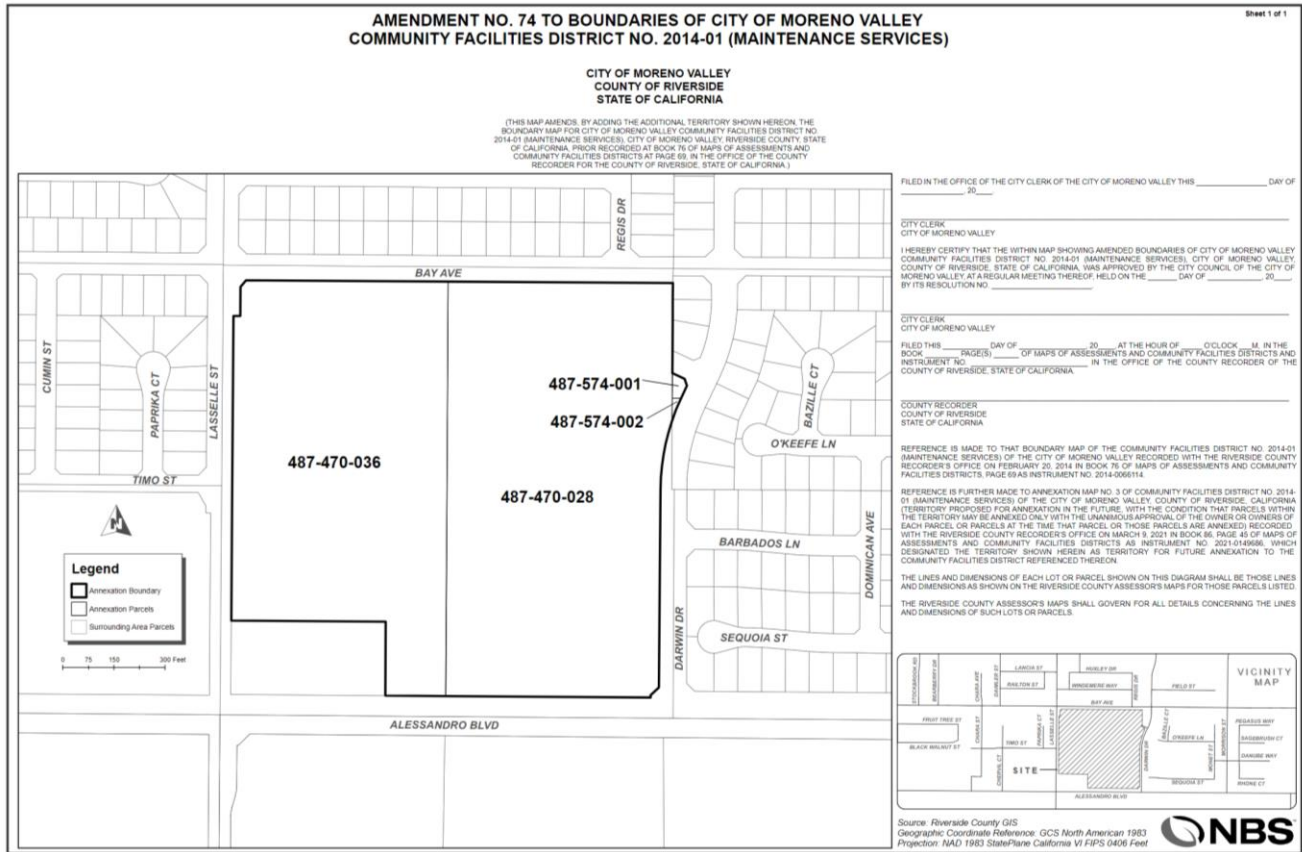
EXHIBIT A

List of Annexation Parcels			
Boundary Map Amendment No.	Assessor's Parcel Numbers	Services	Tax Rate Area & Maintenance Category
Amendment No. 74	487470028 487470036 487574001 487574002	Street Lighting	SL-01A
		Landscape Maintenance	LM-01(D)
		Street Maintenance and Drainage	SD-01
		Landscape Maintenance	TC-01A
<p>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.</p> <p>The parcels associated with a given development 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.</p>			

5
Resolution No. 2023-____
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY

EXHIBIT B



Attachment: Resolution - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY

RESOLUTION NO. 2023-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND APPROVING THE AMENDED MAP FOR SAID DISTRICT

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"), a citywide district, 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 authorized an annual special tax to be levied 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, by its Ordinance No. 980, the City Council authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD to fund Drainage and Street Maintenance Services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the City Council, by its Ordinance No. 980 designated the entire territory of the City as a future annexation area for the CFD and approved the third 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 territory shown on the boundary map (the "Boundary Map") "Amendment No. 75 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.

Resolution No. 2023-___
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 75 [Revision 1] (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO

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 Areas indicated on Exhibit A to this Resolution.

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.

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

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

2
Resolution No. 2023-____
Date Adopted: February 21, 2023

pursuant to Section 3113 of the Streets and Highways Code.

5. Notice of Special Tax Lien. The City Council directs that an amended 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 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 21st day of February, 2023.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 75 [Revision 1] (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO

Resolution No. 2023-4
Date Adopted: February 21, 2023

RESOLUTION JURAT

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

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2023-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 21st day of February 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2023-____ 5
Date Adopted: February 21, 2023

Attachment: Resolution - Amendment No. 75 [Revision 1] (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO

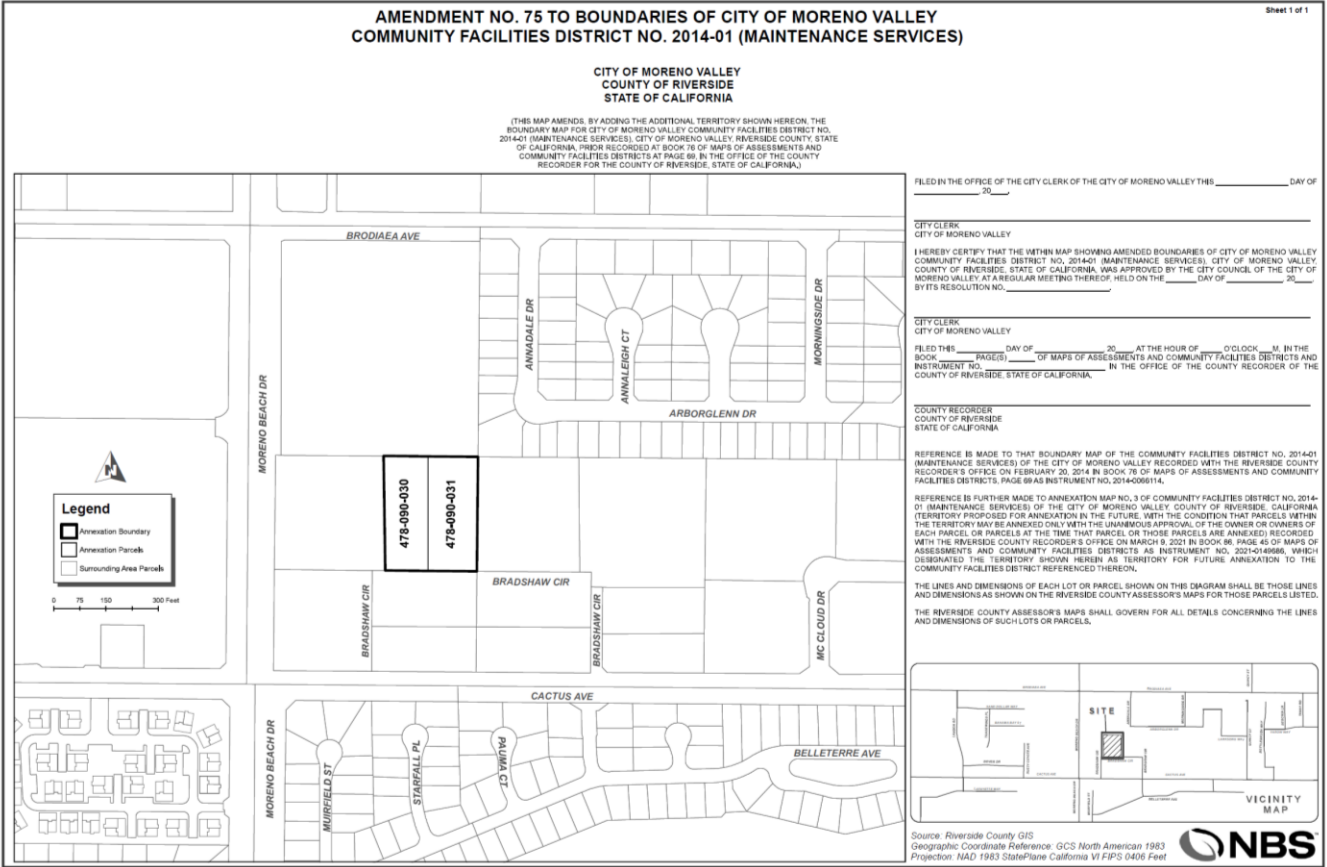
EXHIBIT A

List of Annexation Parcels			
Boundary Map Amendment No.	Assessor's Parcel Numbers	Services	Tax Rate Area & Maintenance Category
Amendment No. 75	478090030 478090031	Street Lighting	SL-01B
<p>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.</p> <p>The parcels associated with a given development 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.</p>			

Attachment: Resolution - Amendment No. 75 [Revision 1] (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO

Resolution No. 2023-6
Date Adopted: February 21, 2023

EXHIBIT B



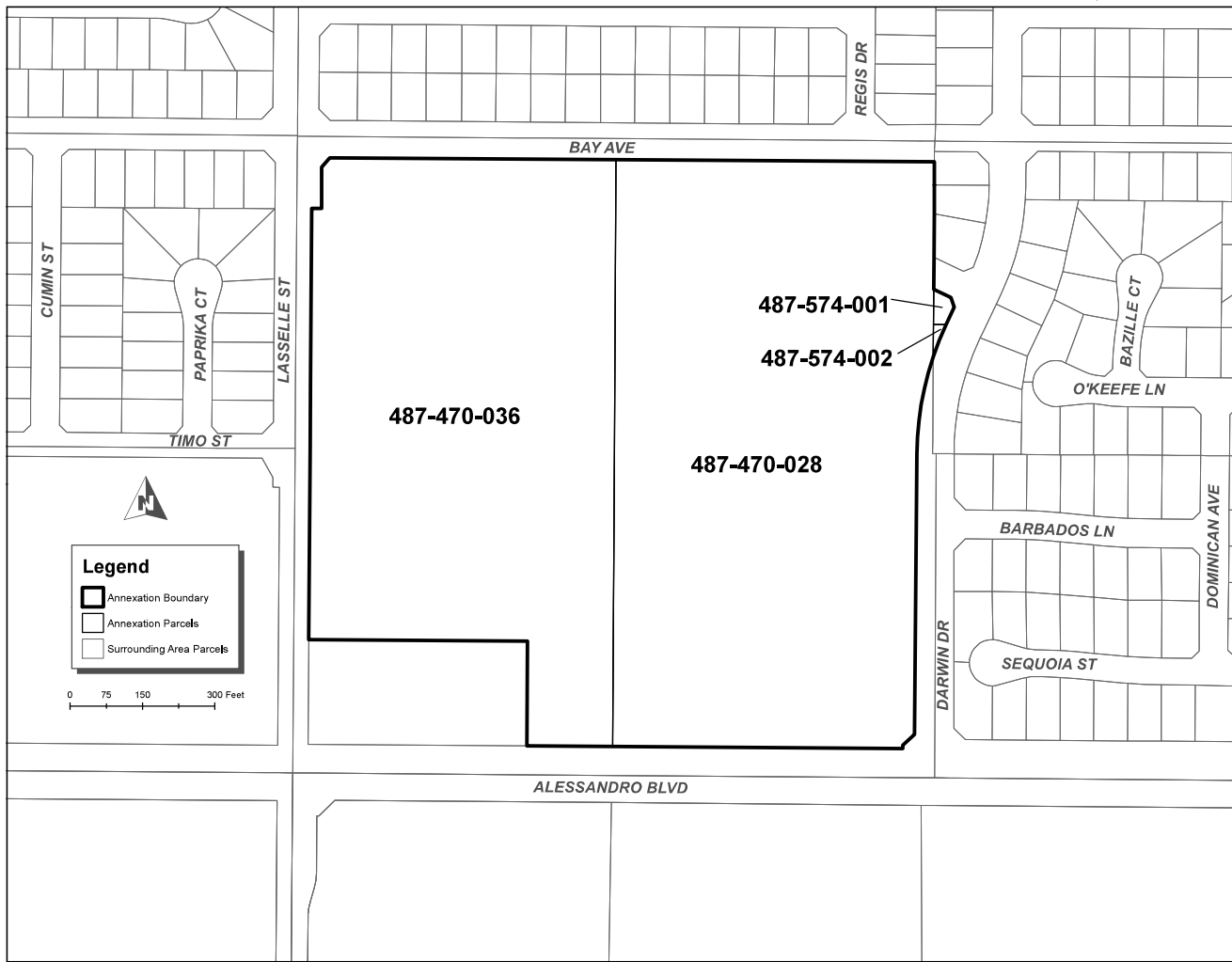
Attachment: Resolution - Amendment No. 75 [Revision 1] (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO

7
Resolution No. 2023-
Date Adopted: February 21, 2023

AMENDMENT NO. 74 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 ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE 89, IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.)



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20__.

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 _____, 20__ BY ITS RESOLUTION NO. _____.

CITY CLERK
CITY OF MORENO VALLEY

FILED THIS _____ DAY OF _____, 20__, AT THE HOUR OF ____ O'CLOCK ____ M, IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AND INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF 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 ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS, PAGE 89 AS INSTRUMENT NO. 2014-0068114.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 3 OF COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) OF THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, CALIFORNIA (TERRITORY PROPOSED FOR ANNEXATION IN THE FUTURE, WITH THE CONDITION THAT PARCELS WITHIN THE 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 MARCH 9, 2021 IN BOOK 86, PAGE 45 OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2021-0149886, 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.



Source: Riverside County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet

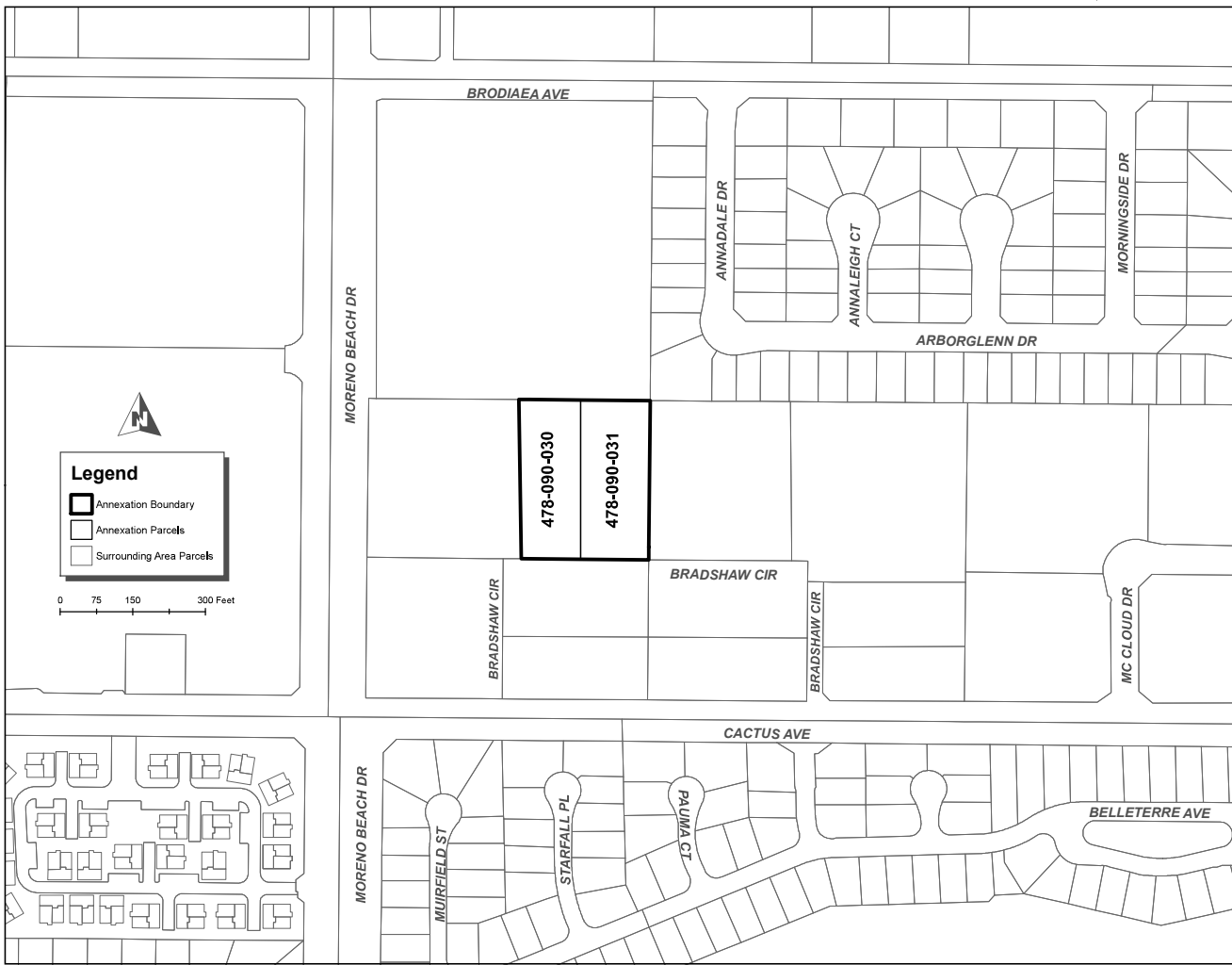


Attachment: Boundary Map - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS,

AMENDMENT NO. 75 TO BOUNDARIES OF CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES)

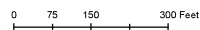
CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

(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 ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AT PAGE 89, IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.)



Legend

- Annexation Boundary
- Annexation Parcels
- Surrounding Area Parcels



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20__

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 _____, 20__ BY ITS RESOLUTION NO. _____

CITY CLERK
CITY OF MORENO VALLEY

FILED THIS _____ DAY OF _____, 20__ AT THE HOUR OF ____ O'CLOCK ____ M, IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AND INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

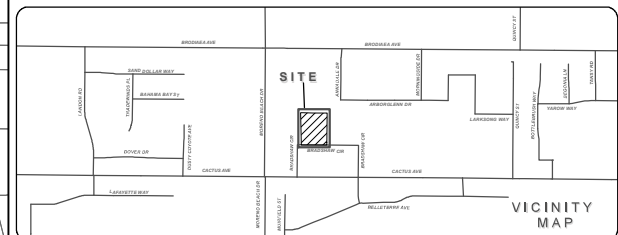
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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 ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS, PAGE 89 AS INSTRUMENT NO. 2014-0068114.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 3 OF COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) OF THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, CALIFORNIA (TERRITORY PROPOSED FOR ANNEXATION IN THE FUTURE, WITH THE CONDITION THAT PARCELS WITHIN THE 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 MARCH 9, 2021 IN BOOK 86, PAGE 45 OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2021-0149686, 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.



Source: Riverside County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet



Attachment: Boundary Map - Amendment No. 75 (6028 : PURSUANT TO LANDOWNER PETITIONS,


**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 **February 8, 2023**, 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. 74

WITNESS my hand this **8th** of **February**, 2023.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 74 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS


**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 **December 29, 2022**, 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. 75

WITNESS my hand this **29th** of **December**, 2022.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 75 (6028 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: LIST OF PERSONNEL CHANGES

RECOMMENDED ACTION

Recommendation:

1. Ratify the list of personnel changes as described.

DISCUSSION

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

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

FISCAL IMPACT

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

PREPARATION OF STAFF REPORT

Prepared By:
Serina Astorga
Executive Assistant

Department Head Approval:
Brian Mohan
Assistant City Manager
Chief Financial Officer/City Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

- 1. Personnel Changes Report

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:49 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:52 AM

**City of Moreno Valley
Personnel Changes- 1/1/23- 1/31/23
February 21, 2023**

New Hires

Stephanie Suss, Senior Administrative Assistant, Human Resources, Financial and Management Services

Araceli Sahagun, Management Assistant, Capital Projects, Public Works

Promotions

Jorge Ruvalcaba

From: Community Enhancement Officer I, Community Enhancement and Neighborhood Services, Community Development

To: Community Enhancement Officer II, Community Enhancement and Neighborhood Services, Community Development

Ariel Munoz

From: Community Enhancement Officer I, Community Enhancement and Neighborhood Services, Community Development

To: Community Enhancement Officer II, Community Enhancement and Neighborhood Services, Community Development

Courtney Welch

From: Animal Care Technician, Animal Services, Community Development

To: Administrative Assistant, Animal Services, Community Development

Transfers

Shanna Palau

From: Senior Management Analyst, Purchasing and Sustainability, Financial and Management Services

To: Senior Management Analyst, Financial Resources, Financial and Management Services

Separations

Kathryn Vigil, Management Aide, Capital Projects, Public Works



Report to City Council

TO: Mayor and City Council

FROM: Melissa Walker, Public Work Director/City Engineer

AGENDA DATE: February 21, 2023

TITLE: APPROVE THE AGREEMENT WITH MARKS ARCHITECTS, INC. FOR THE CITY HALL ELEVATOR MODERNIZATION PROJECT 803 0059 AND BUDGET APPROPRIATION

RECOMMENDED ACTION

Recommendations:

1. Approve the agreement with Marks Architects Inc., for a total not-to-exceed amount of \$152,200 for the preparation of scope and fee documents in relation to the City Hall Elevator Modernization project 803 0059; and authorize the City Manager to execute the agreement using fund 3000 Facility Construction;
2. Authorize the issuance of a purchase order to Marks Architects Inc. for \$152,200 in accordance with approved terms of the agreement;
3. Authorize the City Manager to execute any amendments, purchase orders and/or change orders, contingent upon approved budget and approval of the City Attorney; and
4. Approve Budget Adjustments as contained in the Fiscal Impact section of this report.

SUMMARY

This report recommends approval of the Professional Consultant Agreement for the preparation of scope and fee documents in relation to the City Hall Elevator Modernization Project 803 0059 with Marks Architects, Inc. The project is funded through the Facility Construction (Fund 3000) as recommended in the Fiscal Impact.

DISCUSSION

The City is responsible for ensuring that public facilities are safe and properly operational for the general public and employees, including Fire Stations, the Public Safety Building, and the Emergency Operations Center. Providing properly operating elevators are an essential part of the City’s buildings. Through proper preventative maintenance and repairs, the Maintenance & Operations Division has been able to keep the City Hall Elevator in operation beyond its life expectancy. Through the proposed elevator modernization process, the unit can be kept running in a safe, reliable, and more energy efficient way.

Requests for Proposal for scope and fee preparation professional consultant services for the City Hall Elevator Modernization Project 803 0059 went out on October 11, 2022. Staff reviewed the proposals and recommends the award of a professional consultant services agreement with Mark’s Architects, Inc. for completing the scope and fee related services for the project.

There is a not-to-exceed amount of \$152,200.00 for this agreement based on the estimated amount of time and work needed to prepare the scope and fee documents. The scope and fee documents will later be used in a Notice Inviting Bids for the construction portion of the City Hall Elevator Modernization Project.

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. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this alternative as it will allow for timely completion of the City Hall Elevator Modernization.*
2. Elect not to approve and authorize the recommended actions as presented in this staff report, and provide further direction to staff. *Staff does not recommend this alternative as it will delay completion of the City Hall Elevator Modernization.*

FISCAL IMPACT

There is no impact to the General Fund. The total cost for this portion of the City Hall Elevator Modernization project is \$152,200, funding for this project is available in Facilities Replacement Reserve (Fund 7330) in the amount of \$152,200.

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 22/23 Budget	Proposed Adjustments	FY 22/23 Amended Budget
Transfer To	Facilities	7330-99-99-97330-903000	Exp	\$808,705	\$152,200	\$960,905

	Replacement Reserve					
Transfer In	Facility Construction	3000-99-99-93000-807330	Rev	\$808,705	\$152,200	\$960,905
CIP	Facility Construction	3000-70-40-80003-720199 803 0059-3000-99	Exp	\$0	\$152,200	\$152,200

NOTIFICATION

Posting of the Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Tyler Smith
Management Analyst

Department Head Approval:
Melissa Walker
Public Works Director / City Engineer

Concurred By:
Joseph Mattox
Maintenance & Operations Division Manager

CITY COUNCIL GOALS

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

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

- 1. 803 0059 Agreement for Consultant Services - Marks Architects, Inc.

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 8:00 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:24 AM

AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH MARK'S ARCHITECTS INC. FOR THE CITY HALL ELEVATOR MODERNIZATION PROJECT NO. 803 0059

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Mark's Architects, Inc., a California corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

WHEREAS, the City has determined it is in the public interest to proceed with the professional work hereinafter described as "Project"; and

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit "A" (City's Request for Proposal) and Exhibit "B" (Consultant's Proposal) hereto; and

WHEREAS, the City does not have available employees to perform the services for the Project; and

WHEREAS, the City has requested the Consultant to perform such services for the Project; and

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project, and hereby represents that it desires to and is professionally and legally capable of performing the services called for by this Agreement;

THEREFORE, the City and the Consultant, for the consideration hereinafter described, mutually agree as follows:

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS

**AGREEMENT FOR PROJECT
RELATED SERVICES
PROJECT NO. 803 0059**

DESCRIPTION OF PROJECT

1. The Project is described as providing engineering design, preparation of the scope and not-to-exceed fee, and construction support services for the City Hall Elevator Modernization.

Project No.803 0059.

SCOPE OF SERVICES

2. The Consultant's scope of service is described on Exhibit "B" attached hereto and incorporated herein by this reference. In the event of a conflict, the City's Request for Proposal shall take precedence over the Consultant's Proposal.

3. The City's responsibility is described on Exhibit "C" attached hereto and incorporated herein by this reference.

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of \$ 152,200.00 in accordance with the payment terms provided on Exhibit "D" attached hereto and incorporated herein by this reference.

TIME FOR PERFORMANCE

5. The Consultant shall commence services upon receipt of written direction to proceed from the City.

6. The Consultant shall perform the work described on Exhibit "A" in accordance with the schedule set forth in Exhibit "B" attached hereto and incorporated by this reference.

7. This Agreement shall be effective from effective date and shall continue in full force and effect date through June 30, 2024, subject to any earlier termination in accordance with this Agreement. The services of Consultant shall be completed in a sequence assuring expeditious completion, but in any event, all such services shall be completed prior to

**AGREEMENT FOR PROJECT
RELATED SERVICES
PROJECT NO. 803 0059**

expiration of this Agreement.

8. (a) The Consultant agrees that the personnel, including the principal Project manager, and all subconsultants assigned to the Project by the Consultant, shall be subject to the prior approval of the City.

(b) No change in subconsultants or key personnel shall be made by the Consultant without written prior approval of the City.

SPECIAL PROVISIONS

9. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

10. The Consultant may also retain or subcontract for the services of other necessary consultants with the prior written approval of the City. Payment for such services shall be the responsibility of the Consultant. Any and all subconsultants employed by the Consultant shall be subject to the terms and conditions of this Agreement, except that the City shall have no obligation to pay any subconsultant for services rendered on the Project.

11. The Consultant and the City agree to use reasonable care and diligence to perform their respective services under this Agreement.

12. The Consultant shall comply with applicable federal, state, and local laws in the performance of work under this Agreement.

13. To the extent required by controlling federal, state and local law, Consultant shall not employ discriminatory practices in the provision of services, employment of personnel, or in any other respect on the basis of race, religious creed, color, national origin, ancestry, physical

**AGREEMENT FOR PROJECT
RELATED SERVICES
PROJECT NO. 803 0059**

disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era. Subject to the foregoing and during the performance of this Agreement, Consultant agrees as follows:

(a) Consultant will comply with all applicable laws and regulations providing that no person shall, on the grounds of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity made possible by or resulting from this Agreement.

(b) Consultant will not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era. Consultant shall ensure that applicants are employed, and the employees are treated during employment, without regard to their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era. Such requirement shall apply to Consultant's employment practices including, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provision of this nondiscrimination clause.

(c) Consultant will, in all solicitations or advertisements for employees placed

**AGREEMENT FOR PROJECT
RELATED SERVICES
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by or on behalf of Consultant in pursuit hereof, state that all qualified applicants will receive consideration for employment without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era.

(d) If Consultant should subcontract all or any portion of the services to be performed under this Agreement, Consultant shall cause each subcontractor to also comply with the requirements of this Section 13.

14. To the furthest extent allowed by law (including California Civil Code section 2782.8 if applicable), Consultant shall indemnify, hold harmless and defend the City, the Moreno Valley Community Services District (“CSD”), the Moreno Valley Housing Authority (“Housing Authority”) and each of their officers, officials, employees, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage), and from any and all claims, demands and actions in law or equity (including reasonable attorney's fees and litigation expenses) that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of Consultant, its principals, officers, employees, agents or volunteers in the performance of this Agreement.

If Consultant should subcontract all or any portion of the services to be performed under this Agreement, Consultant shall require each subcontractor to indemnify, hold harmless and defend City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers in accordance with the terms of the preceding paragraph.

This section shall survive termination or expiration of this Agreement.

15. Insurance.

(a) Throughout the life of this Agreement, Consultant shall pay for and maintain

**AGREEMENT FOR PROJECT
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in full force and effect all insurance as required in **Exhibit E** or as may be authorized in writing by the City Manager or his/her designee at any time and in his/her sole discretion.

(b) If at any time during the life of the Agreement or any extension, Consultant or any of its subcontractors fail to maintain any required insurance in full force and effect, all services and work under this Agreement shall be discontinued immediately, and all payments due or that become due to Consultant shall be withheld until notice is received by City that the required insurance has been restored to full force and effect and that the premiums therefore have been paid for a period satisfactory to City. Any failure to maintain the required insurance shall be sufficient cause for City to terminate this Agreement. No action taken by City pursuant to this section shall in any way relieve Consultant of its responsibilities under this Agreement. The phrase "fail to maintain any required insurance" shall include, without limitation, notification received by City that an insurer has commenced proceedings, or has had proceedings commenced against it, indicating that the insurer is insolvent.

(c) The fact that insurance is obtained by Consultant shall not be deemed to release or diminish the liability of Consultant, including, without limitation, liability under the indemnity provisions of this Agreement. The duty to indemnify City shall apply to all claims and liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by Consultant. Approval or purchase of any insurance contracts or policies shall in no way relieve from liability nor limit the liability of Consultant, its principals, officers, agents, employees, persons under the supervision of Consultant, vendors, suppliers, invitees, consultants, sub-consultants, subcontractors, or anyone employed directly or indirectly by any of them.

(d) Upon request of City, Consultant shall immediately furnish City with a complete copy of any insurance policy required under this Agreement, including all

**AGREEMENT FOR PROJECT
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endorsements, with said copy certified by the underwriter to be a true and correct copy of the original policy. This requirement shall survive expiration or termination of this Agreement.

(e) If Consultant should subcontract all or any portion of the services to be performed under this Agreement, Consultant shall require each subcontractor to provide insurance protection in favor of City and each of its officers, officials, employees, agents and volunteers in accordance with the terms of this section, except that any required certificates and applicable endorsements shall be on file with Consultant and City prior to the commencement of any services by the subcontractor.

16. The waiver by either party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement. No provisions of this Agreement may be waived unless in writing and signed by all parties to this Agreement. Waiver of any one provision herein shall not be deemed to be a waiver of any other provision herein.

17. Consultant and subconsultants shall pay prevailing wage rates when required by the Labor Laws of the State of California.

18. (a) The Consultant shall deliver to the Maintenance & Operation's Division, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

(c) The City agrees to hold the Consultant free and harmless from any claim arising from any unauthorized use of computations, maps, and other documents prepared or provided by the Consultant under this Agreement, if used by the City on other work without the

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permission of the Consultant. Consultant acknowledges that Consultant work product produced under this agreement may be public record under State law.

19. (a) This Agreement shall terminate without any liability of City to Consultant upon the earlier of: (i) Consultant's filing for protection under the federal bankruptcy laws, or any bankruptcy petition or petition for receiver commenced by a third party against Consultant; (ii) 10 calendar days prior written notice with or without cause by City to Consultant; (iii) City's non-appropriation of funds sufficient to meet its obligations hereunder during any City fiscal year of this Agreement, or insufficient funding for the Project; or (iv) expiration of this Agreement. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Consultant shall not be paid for any work or services performed or costs incurred which reasonably could have been avoided.

(b) In the event of termination due to failure of Consultant to satisfactorily perform in accordance with the terms of this Agreement, City may withhold an amount that would otherwise be payable as an offset to, but not in excess of, City's damages caused by such failure. In no event shall any payment by City pursuant to this Agreement constitute a waiver by City of any breach of this Agreement which may then exist on the part of Consultant, nor shall such payment impair or prejudice any remedy available to City with respect to the breach.

(c) Upon any breach of this Agreement by Consultant, City may (i) exercise any right, remedy (in contract, law or equity), or privilege which may be available to it under applicable laws of the State of California or any other applicable law; (ii) proceed by appropriate court action

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to enforce the terms of the Agreement; and/or (iii) recover all direct, indirect, consequential, economic and incidental damages for the breach of the Agreement. If it is determined that City improperly terminated this Agreement for default, such termination shall be deemed a termination for convenience.

(d) Consultant shall be liable for default unless nonperformance is caused by an occurrence beyond the reasonable control of Consultant and without its fault or negligence such as, acts of God or the public enemy, acts of City in its contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, unusually severe weather, and delays of common carriers. Consultant shall notify City in writing as soon as it is reasonably possible after the commencement of any excusable delay, setting forth the full particulars in connection therewith, and shall remedy such occurrence with all reasonable dispatch, and shall promptly give written notice to Administrator of the cessation of such occurrence.

20. This Agreement is binding upon the City and the Consultant and their successors and assigns. Except as otherwise provided herein, neither the City nor the Consultant shall assign, sublet, or transfer its interest in this Agreement or any part thereof without the prior written consent of the other.

21. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant, and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

22. This Agreement represents the entire and integrated Agreement between the City

**AGREEMENT FOR PROJECT
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and the Consultant, and supersedes all prior negotiations, representations or Agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties.

23. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

24. The City and the Consultant agree, that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

25. (a) Consultant shall comply, and require its subcontractors to comply, with all applicable (i) professional canons and requirements governing avoidance of impermissible client conflicts; and (ii) federal, state and local conflict of interest laws and regulations including, without limitation, California Government Code Section 1090 et. seq., the California Political Reform Act (California Government Code Section 87100 et. seq.) and the regulations of the Fair Political Practices Commission concerning disclosure and disqualification (2 California Code of Regulations Section 18700 et. seq.). At any time, upon written request of City, Consultant shall provide a written opinion of its legal counsel and that of any subcontractor that, after a due diligent inquiry, Consultant and the respective subcontractor(s) are in full compliance with all laws and regulations. Consultant shall take, and require its subcontractors to take, reasonable

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steps to avoid any appearance of a conflict of interest. Upon discovery of any facts giving rise to the appearance of a conflict of interest, Consultant shall immediately notify City of these facts in writing.

(b) In performing the work or services to be provided hereunder, Consultant shall not employ or retain the services of any person while such person either is employed by City or is a member of any City council, commission, board, committee, or similar City body. This requirement may be waived in writing by the City Manager, if no actual or potential conflict is involved.

(c) Consultant represents and warrants that it has not paid or agreed to pay any compensation, contingent or otherwise, direct or indirect, to solicit or procure this Agreement or any rights/benefits hereunder.

(d) Neither Consultant, nor any of Consultant's subcontractors performing any services on this Project, shall bid for, assist anyone in the preparation of a bid for, or perform any services pursuant to, any other contract in connection with this Project unless fully disclosed to and approved by the City Manager, in advance and in writing. Consultant and any of its subcontractors shall have no interest, direct or indirect, in any other contract with a third party in connection with this Project unless such interest is in accordance with all applicable law and fully disclosed to and approved by the City Manager, in advance and in writing. Notwithstanding any approval given by the City Manager under this provision, Consultant shall remain responsible for complying with Section 25(a), above.

(e) If Consultant should subcontract all or any portion of the work to be performed or services to be provided under this Agreement, Consultant shall include the provisions of this Section 25 in each subcontract and require its subcontractors to comply therewith.

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(f) This Section 25 shall survive expiration or termination of this Agreement.

26. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

27. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall also govern the interpretation of this Agreement. Venue shall be vested in the Superior Court of the State of California, County of Riverside.

28. Supplementary General Provisions. (For projects that are funded by Federal programs). The following provisions, pursuant to 44 Code of Federal Regulations, Part 13, Subpart C, Section 13.36, as it may be amended from time to time, are included in the Agreement and are required to be included in all subcontracts entered into by CONTRACTOR for work pursuant to the Agreement, unless otherwise expressly provided herein. These provisions supersede any conflicting provisions in the General Conditions and shall take precedence over the General Conditions for purposes of interpretation of the General Conditions. These provisions do not otherwise modify or replace General Conditions not in direct conflict with these provisions. Definitions used in these provisions are as contained in the General Conditions.

a) CONTRACTOR shall be subject to the administrative, contractual, and legal remedies provided in the General Conditions in the event CONTRACTOR violates or breaches terms of the Agreement.

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- b) CITY may terminate the Agreement for cause or for convenience, and CONTRACTOR may terminate the Agreement, as provided the General Conditions.
- c) CONTRACTOR shall comply with Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity, as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by CITY and/or subcontracts in excess of \$10,000 entered into by CONTRACTOR.)
- d) CONTRACTOR shall comply with the Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and subcontracts for construction or repair.)
- e) CONTRACTOR shall comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a7) as supplemented by Department of Labor regulations (29 CFR Part 5).
- f) CONTRACTOR shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327330) as supplemented by Department of Labor regulations (29 CFR Part 5).
- g) CONTRACTOR shall observe CITY requirements and regulations pertaining to reporting included in the General Conditions.
- h) Patent rights with respect to any discovery or invention which arises or is developed in the course of or under the Agreement shall be retained by the CITY.
- i) Copyrights and rights in data developed in the course of or under the Agreement shall be the property of the CITY. FEMA/CalOES reserve a royalty-free, nonexclusive, irrevocable license to reproduce, publish or otherwise use or

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- authorize to others to use for federal purposes a copyright in any work developed under the Agreement and/or subcontracts for work pursuant to the Agreement.
- j) CONTRACTOR shall provide access by the City, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
- k) CONTRACTOR shall retain all required records for three years after CITY makes final payments and all other pending matters relating to the Agreement are closed.
- l) CONTRACTOR shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (This provision applies to contracts exceeding \$100,000 and to subcontracts entered into pursuant to such contracts.)
- m) CONTRACTOR shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94163, 89 Stat. 871).

SIGNATURE PAGE FOLLOWS

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

City of Moreno Valley

Mark's Architects, Inc.

BY: _____

Mike Lee
City Manager

Date

BY: _____

Name: _____

TITLE: _____
(President or Vice President)

Date

<u>INTERNAL USE ONLY</u>	
APPROVED AS TO LEGAL FORM:	_____
	City Attorney

	Date
RECOMMENDED FOR APPROVAL:	_____
	Public Works Director/City Engineer

	Date

BY: _____

BY:

Name:

TITLE: _____
(Corporate Secretary)

Date

- Enclosures:
- Exhibit "A" – City Scope of Services
 - Exhibit "B" – Consultant Proposal
 - Exhibit "C" – City Services
 - Exhibit "D" – Terms of Payment
 - Exhibit "E" – Insurance Requirements

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS

EXHIBIT "A"

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



October 19, 2022

Request for Scope and Not-to-Exceed Fee Cost Proposal for Professional Design Services for the Elevator Modernization at the City of Moreno Valley City Hall.

The City of Moreno Valley is requesting a detailed scope of service and not-to-exceed fee cost proposal (not a full proposal) to perform Engineering/Design Services and Construction Cost Estimate Services for the City Hall Elevator Modernization project. Responses to this RFP are due by December 7, 2022, by 2:00 PM PST.

Scope:

This RFP is to survey condition of electrical and mechanical components of the existing elevator room and prepare construction plans and specification to upgrade the system to meet new code requirements and modernize the equipment and all components for maximum reliability.

The Architect Engineer (AE) shall conduct site investigation of the existing elevator room electrical and mechanical systems, and prepare construction Plans and Specification (P&S) for electrical and mechanical upgrades related to Elevator Modernization work at the City of Moreno Valley's City Hall building located in Moreno Valley, CA. Design documents shall include construction drawings, specifications, design analysis and construction cost estimate for mechanical, electrical and fire protection upgrades. The AE shall provide 35%, 90% (pre-final) and Final design drawings, specifications and cost estimate for review and approval. The AE shall attend design review meetings for the 35% and 90% phases via web meeting.

Plans and Specification (P&S) shall include the following features:

a. Equipment Modernization

All elevator equipment and components shall be upgraded to provide maximum service performance and reliability. The modernization of the elevator shall minimize shutdowns, reduce the risk of injury or accidents, and lower energy cost/consumption.

b. Machine Room Ventilation for Control Equipment

Current Elevator Code requires natural or forced air ventilation to prevent overheating of the elevator system electrical components. The Code does not specify the exact acceptable temperature and condensation levels. The equipment manufacturer does. Generally, it's

recommended elevator machine rooms with microprocessor control equipment be kept under 80 degrees F and within the operating humidity range as recommended by the control manufacturer.

c. Machine Room Smoke Detectors

Elevator and NFPA Code requires smoke detectors and/or heat detector devices in the elevator machine room for building fire control and elevator fire recall. The number of smoke detectors in the machine room is determined by the area of the room. Also, beam pockets in the ceiling of the elevator machine rooms may require installation of a smoke detector device in each of these pocket areas.

d. Machine Room Lighting

Current elevator Code requires all machine rooms to be provided with a permanent means of illumination of not less than twenty (20) footcandles measured at floor level, at any location in the machine room. Furthermore, light bulbs must be protected against accidental contact with bulb guard devices.

e. Machine Room Elevator Mainline Disconnect Switches

Current elevator and electrical Codes require elevator mainline disconnect switches either to be fused or provided with circuit breakers, lockable in the “Off” position, and located where readily accessible to qualified personnel & within sight of the hoist motor and motor controller.

f. Elevator Machine Room Electrical Disconnect Switches 4th Wire Ground

Current National Electric Code requires a 4th wire ground to elevator mainline disconnect switches. In addition, the ground wire is to be run directly to the building's main electrical distribution panel. If no 4th wire ground is present, and the disconnect switches are reused “as is” this condition is probably “grandfathered” and may not be required to be corrected by the Electrical Code. However, almost all elevator control manufacturers now require and/or recommend that their microprocessor based controls be provided with a 4th wire ground back to the main building electrical distribution panel.

g. Aluminum Feeder Wires

Elevator mainline disconnect switches are occasional fed either directly or indirectly by aluminum feeder wires. Generally, aluminum is a poor material if new solid-state drives (SCR or ACVF) are provided to replace the existing elevator motor generator sets.

h. Machine Room 110 VAC Elevator Lighting Circuit Electrical Disconnect Switch

Current elevator and electrical Code require in each elevator machine room, and for each elevator, a separate electrical disconnect switch for the 110 VAC elevator lighting circuit. These disconnect switches are to be fused or provided with circuit breakers, lockable in the “off” position, and located as near as possible to the machine room entrance door.

i. Machine Room & Pit 110 VAC GFCI Electrical Outlets

Current elevator and electrical Code require in each elevator machine room and each pit, 110 VAC electrical work outlets equipped with ground fault circuit interrupter (GFCI) protection. Pit

RFP for Professional Design Services
 October 19, 2022
 Page 3

110 VAC work outlets and conduit must be NEMA 4 rated if within 4' of the pit floor and sprinklers are present.

j. Pit Ladders

Where climb-down access is provided to an elevator pit, current Elevator Code requires permanent and safe means of access. Further, the handholds of the pit ladders need to extend at least 48" above the pit entrance level.

k. Pit Lights

Current elevator Code requires a means for illumination in all elevator pits. Illumination level is to be a minimum of ten (10) footcandles, measured anywhere at the floor level. Pit lighting fixtures, conduit and 110 VAC work outlets must be NEMA 4 rated if within 4' of the pit floor and sprinklers are present.

l. Fire Recall Zone Circuitry

Current elevator Code requires automatic recall of elevators in a fire condition. This can be accomplished through elevator lobby and elevator machine room smoke detectors or, where sprinklers are present and the local Code jurisdiction allows it, water-flow switches.

Three (3) sets of signals would be required to be sent to each elevator or group of elevators. The first set of signals would come from the fire-sensing device on the primary recall floor. The second set of signals would come from the "Zone" of fire-sensing devices on all other elevator lobby levels, the elevator machine room, and the top of hoistway. The third set of signals would come from the fire-sensing devices in the elevator machine room or top of hoistway. A fourth set of signals will be required if shunt trip operation is employed.

m. Temporary ADA

During the duration of the project when the elevator is out of commission temporary ADA measures will be needed. AE shall include in the scope of the project temporary ADA access and accommodations to the second floor of the building.

Deliverables

- Construction drawings and specifications for the elevator modernization.
- Development of estimated construction budget for entire project.
- Final color elevations/renderings and floor plan exhibits for project to be presented for City Council review.
- Development of bidding documents.
- The successful firm will also develop necessary Addendums during bidding, respond to Requests for Information (RFI's), and provide technical guidance during project construction.

Process:

Mandatory pre-proposal job walk. Only Firms who participate in the pre-proposal job walk will be allowed to submit a proposal on the project. A mandatory pre-bid job walk

RFP for Professional Design Services
 October 19, 2022
 Page 4

will be held on November 9, 2022 at 10:00 A.M. at City Hall.

City Hall
 14177 Frederick St.
 Moreno Valley, CA 92553

All questions, comments, or concerns shall be submitted to PlanetBids no later than November 23, 2022 at 2:00 P.M.

RFP submittals are due no later than December 7, 2022, at 2:00 PM PST and shall be submitted/uploaded via PlanetBids.

RFP submittals received will be reviewed by the Facilities Maintenance personnel with the intent to be awarded for the Scopes of Services as well as any other information applicable to their ability to provide the necessary services for the completion of the project.

Proposal Format and Content

1. Introduction: A summary statement which will demonstrate that the prospective proposer has a clear understanding of the City's objectives and how it expects to address them.
2. Management and Staffing: List the roles and responsibilities of the individuals who will be directly involved with the project, including the Project Manager, who will be the primary contact with City staff, and provide individual resumes.
3. Prior Related Experience: Provide a list of representative projects of similar scope and nature performed within the last five (5) years, particularly. Include a contact person for each representative project listed.
4. Work Plan: Describe the approach to be taken in addressing the proposed scope of work. This description should include delineation of specific tasks to be undertaken in each project activity. Include a project schedule showing start and completion dates for the specific tasks, including milestone dates and processing time for review by the City.
5. Fee Schedule: The consultant is requested to provide a "Not to exceed" cost (inclusive of all professional fees and expenses) for the entire project as outlined in the Work Plan.:

Include the hourly rate charges for each team member who may be involved in the project.

RFP for Professional Design Services
October 19, 2022
Page 5

Please submit your Scope and Fee Proposal through PlanetBids: by December 7, 2022.

Should you have any questions, please contact Purchasing at purchasingdivision@moval.org or 951-413-3190.

EXHIBIT "B"

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



The City of Moreno Valley
Request for Scope and Not-to-Exceed Fee Cost Proposal
For Professional Design Services for the Elevator Modernization
At the City of Moreno Valley City Hall



PROPOSAL

Provided by
Marks Architects, Inc.
73121 Fred Waring Drive, Suite 200
Palm Desert, CA 92260
760-327-6800

Submitted December 7, 2022
Via PlanetBids

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



1. INTRODUCTION

A summary statement which will demonstrate that the prospective proposer has a clear understanding of the City's objectives and how it expects to address them.

Marks Architects, Inc., a local Southern California architectural firm, is honored to be able to offer the City of Moreno Valley professional design services for the modernization of the City Hall elevator.

We have assembled a highly experienced team of engineers and specialists to assist the City with the project to survey the existing conditions, determine a detailed scope of work, prepare construction documents, and a cost estimate for the City's use in bidding and construction management. Our architectural team will provide color renderings for the elevator elevations and floor plans for presentation before the City Council, and provide the City with bidding and construction phase support.

Considering the City's clear goals for accessibility and citizen access in City Hall, upgrading the sole elevator, and primary vertical means of moving through the building, is the ultimate support needed to meet those goals.

We will also work with the City to determine the best way to maintain vertical accessibility even while the elevator is off-line during modernization upgrades.



City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



2. MANAGEMENT AND STAFFING

List the roles and responsibilities of the individuals who will be directly involved with the project, including the Project Manager, who will be the primary contact with City staff, and provide individual resumes.

Marks Architects, Inc. has assembled the following team of experts for the elevator modernization project. We have all worked together before on other elevator modernization projects and know how to work as a team.

Marks Architects, Inc.		
Project Manager	David W. Clarke	Principal Architect
Mr. Clarke will be the City's primary contact and principal organizer of the project team, and be responsible for overall quality control, scheduling, and client support.		
Production Manager	Hector Castro	Sr. Project Manager
Mr. Castro will assist Mr. Clarke with the project by coordinating design and construction documents, communications, submittals, and support from engineering subconsultants. He will maintain bidding and construction logs for RFIs and submittals.		
HKA Elevator Consulting, Inc.		
Elevator Consultant	John Reynolds	Principal & President
Elevator Consultant	Alan Taylor, MSc	Principal & Vice President
Elevator Consultant	Sean M. Kelly	Elevator Consultant
Technical Director	Donnie Bacak	Technical Director
The HKA team will be the primary technical consultant for the elevator specific scope of work. They will gather all necessary existing conditions documentation for the preparation of a detailed survey, and prepare the detailed specifications for the work to be executed. HKA will provide construction phase services in the field working with the contractor to ensure compliance and quality of work excellence.		
IMEG Corp		
Mechanical Manager	Josh Massey	Project Manager
Mechanical Designer	Daphne Huang	Sr. Mechanical Engineer
Electrical Manager	Nestor Ignacio	Electrical Engineer
Structural Manager	Dhawal Agarwal	Structural Engineer
The IMEG engineering team will support the elevator design upgrades to provide all design and construction documents for mechanical and electrical systems. We've also included structural engineering for bracing, supports, anchorage, and fasteners as needed for the mechanical and elevator systems. They will respond to RFIs during bidding and construction as well as review technical submittals.		
Iskander Associates, Inc.		
Cost Estimator	Iskander A. R. Abdulla	President
Cost estimating at the beginning and then midway through the project is essential for establishing and checking the budget. A final estimate is needed for assessing bids.		

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



David W. Clarke, Vice-president Architect

Mr. Clarke has been a California Licensed Architect for 32 years, with experience also in several other states. He owned and operated architectural firms in New Mexico and Arizona. Now, he leads the Marks Architects office in Palm Desert.



PROFESSIONAL REGISTRATIONS

California Architect License - No. C-21219, 1990
 NCARB Certificate No. 55754, 2002

EDUCATION

Master of Art in Architecture, UCLA 1990
 Bachelor of Architecture, University of Oregon 1984

PROFESSIONAL EXPERIENCE

Marks Architects, Inc., Palm Desert, CA 2018 – Present
 Williams Design Group, Inc., Las Cruces, NM 2010 – 2018
 David W. Clarke, Architect LLC, Las Cruces, NM 2009 – 2015
 Peterson Architects, (PHX Architects), Scottsdale, AZ 2008 – 2009
 Mountain Sun Architecture, Ruidoso/Alto, NM 2000 – 2008
 The University of Texas, San Antonio, TX 1995 – 2000 (Full-time teaching Architecture)
 Kansas State University, Manhattan, KS 1990-1995 (Full-time teaching Architecture)
 Escudero-Fribourg Architects, Los Angeles, CA 1988 - 1990
 U.S. Peace Corps, Montserrat, BWI, 1985 – 1987
 Goody Clancy & Associates, Boston, MA 1984 – 1985

RELEVANT EXPERIENCE

With 38 years of total work experience in Architecture, Mr. Clarke has designed and managed hundreds of commercial office renovations and new construction. Recent and relevant completed public project experience includes:

- San Bernardino County Colorado River Station Remodel, Needles, CA 2021
- City of Palm Springs parks restroom replacements, Palm Springs, CA, 2021
- SunLine Transit Agency West Coast Center of Excellence, Thousand Palms, CA, 2020
- SunLine Transit Agency Indio Offices, Indio, CA, 2019
- Palms To Pines Shopping Center Rehabilitation/Remodel, Palm Desert, CA 2019
- City of Las Cruces Convention Center Expansion, Las Cruces, NM, 2017-2018
- New Mexico State Police District 3 HQ Addition & Remodel, Roswell, NM, 2017 - 2018
- City of Las Cruces Public Safety Complex, Las Cruces, NM, 2012 – 2017

Additionally, Mr. Clarke has extensive experience with hospitals and medical offices, hotels and restaurants, public school and university facilities, municipal maintenance facilities, and public safety services buildings.



City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



Hector Castro, Senior Project Manager

Mr. Castro has been a critical team member and Senior Project Manager at Marks Architects for 15 years through its evolution from Urrutia Architects and Urrutia Marks Architects. His primary project management responsibilities, include design research, construction documents production and quality control, subconsultant coordination, construction phase project administration, and client experience management.



PROFESSIONAL REGISTRATIONS

NCARB Candidate ID number: 66143

EDUCATION

Sinaloa State Autonomous University – School of Architecture - Culiacan City, Sinaloa State, Mexico

Bachelor of Science in Architecture degree, 1999

PROFESSIONAL EXPERIENCE

Urrutia Architects, Palm Springs, CA 2007-2016

Marks Architects, Palm Desert, CA 2016 – Present

RELEVANT EXPERIENCE

Detail oriented and highly professional, Mr. Castro is skilled at managing multiple aspects of a job and seeing tasks through to successful completion. He takes full responsibility to ensure the highest quality work, while creating strong, productive relationships to optimize teamwork. Mr. Castro's recent relevant project experience includes:

- Colorado River Station Remodel, Needles, CA 2022
- Valvoline Instant Oil Change, Martinez, CA – Renovation of existing building, 2022
- Valvoline Instant Oil Change, Ontario, CA – Renovation of existing building, 2021
- Valvoline Instant Oil Change, Ocean Beach, CA – Renovation of existing building, 2021
- SunLine Transit Agency West Coast Center of Excellence, Thousand Palms, CA, 2020
- SunLine Transit Agency Indio Offices, Indio, CA, 2019
- Clinicas de Salud del Pueblo, Coachella, CA - Renovation of existing building, 2017.
- City of Palm Springs Police Department Remodel - Renovation of existing building, 2016
- Urology Medical Offices Remodel & TI's for Dr. Lance P. Walsh, Rancho Mirage, CA, 2013
- Eisenhower Medical Center – Palm Springs Health Center – Architectural Interior design within existing shell building, 2010



23211 SOUTH POINTE DRIVE
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F: 949.348.9751

SAN DIEGO
9863 PACIFIC HEIGHTS BOULEVARD
SUITE A
SAN DIEGO, CA
949.582.4100

3765 EAST SUNSET ROAD, B5
LAS VEGAS, NV 89120
P: 702.319.9711

15811 32ND AVENUE NE
LAKE FOREST PARK, WA 98155
P: 206.954.1821

501 S. CHERRY STREET, 11TH FLOOR
DENVER, CO 80120
P: 720.665.3029

MINNESOTA
LAKEVILLE, MN
P: 952.435.2429

WHAT WE DO

HKA Elevator Consulting, Inc. specializes in the business of vertical and horizontal transportation consulting. As an elevator consulting firm, our client base consists of architects, developers, building owners and managers, contractors and public agencies such as city, county, state and federal entities. Our firm assists in the development of people and material transportation systems for commercial offices, airports, retail, hospitals, hotels, residential, parking facilities, museums, libraries, schools, correctional facilities, public transit facilities, merchandising marts and other institutional facilities. Additionally, the firm's expertise allows for expert witness services to be offered to attorneys and insurance companies.

As an independent firm made up of professionals drawn from throughout the elevator industry, our people have a broad range of experience and expertise in all phases of elevator consulting. We provide full services from schematic design through the final stages of construction and testing of the vertical transportation systems for both new buildings and the modernization of existing buildings. Our firm also provides maintenance evaluations and "remaining useful life" studies of existing systems. We are members of BOMA, IREM, IAEC (formerly NAVTP), NAIOP, NPFMA and are QEI certified.

WHO WE ARE

HKA Elevator Consulting, Inc. was founded in January 1999 by Daryl Anderson, President and Principal of Hesselberg, Keesee & Associates, Inc. from 1986 until then. The original firm was founded in San Francisco, California in 1963 by Edwin H. Hesselberg after 44 years of experience with Otis Elevator Company. In 1973, Mr. Glen Keesee joined Mr. Hesselberg as a consultant and, in 1976, purchased the firm, which became incorporated in the State of California under the name Hesselberg, Keesee & Associates, Inc. Daryl Anderson joined the firm in 1981 and, in 1986, purchased interest in the firm with Thomas L. Wendt. In 1989, the firm expanded its operation to Southern California with Daryl Anderson as principal.

In 1999, two separate corporations were formed to better serve the needs of clients and staff in each geographic region. The Northern California office, with Tom Wendt and Jim Finley as principals, is named Hesselberg, Keesee & Associates, Inc. The Southern California office, with Daryl Anderson as principal, is named HKA Elevator Consulting, Inc. All business operations otherwise remain unchanged.

In 2017 John Reynolds and Alan Taylor purchased full control of HKA and continued to grow the business in other states.

John Reynolds, Principal & President: John has over 33 years of experience in the elevator industry. He joined HKA in 2005 after working in several various capacities since 1988 both in the field and in management installing, modernizing, and maintaining elevators and escalators for major vertical transportation contractors. John is also a Qualified Elevator Inspector (QEI #3697) under the ASME A17.1 Safety Code for Elevators and Escalators.

Alan Taylor, MSc, Principal & Vice President: Alan originally joined HKA in 2007 and has over 42 years of experience in the elevator industry. He has spent 20 of those years working on international projects. He has lived in Asia and has firsthand elevator experience in over 32 countries. Alan's experience makes him a very versatile consultant. He will work with architects and designers to build elevator solutions, conduct traffic analysis, write specifications and survey projects. Alan holds a Master's of Science specializing in Lift Engineering and is also a Qualified Elevator Inspector (QEI #2830) under the ASME A17.1 Safety Code for Elevators and Escalators.

Donnie Bacak, Technical Director/Senior/Associate Consultant: Joined HKA in 2021. Donnie has more than 40 years of experience in the elevator industry. He has spent much of his career in North and South America, Asia, Europe and Brazil, working alongside manufacturing and engineering to develop new technology and products for the vertical transportation market. He will work with architects and designers to build elevator solutions, conduct traffic analysis, write specifications and survey projects. Mr. Bacak has a background in product lifecycle and product strategy for new equipment and is a Qualified Elevator Inspector (QEI) under the ASME A17.1 Safety Code for Elevators and Escalators.

Jeff Crusham, Director, National Business Development: Joined HKA in 2012. Jeff has over 40 years of experience in all aspects of the elevator industry. He has a broad range of experience with all types of equipment, service sales, repairs, modernizations, new equipment and product development. Extensive

management of office and field supervisory experience with a major elevator company providing various elevator services for clientele throughout many locations in the USA.

Dean Kwiatkowski, Senior Elevator Consultant & Project Manager: Dean joined HKA in 2020. Dean has over 36 years of experience in the elevator industry. He has spent over 20 year working for an elevator company and has held various positions in Chicago (33-years) and Denver and the last 16 years as an Elevator Consultant & Project Manager. Dean has been involved in new product, service and modernizations sales. As a project manager for many years, he has been involved in creating specifications for service, modernization and new equipment.

Carl Shiroma, Senior Elevator Consultant & Project Manager: Carl joined HKA in 2014. Carl has over 40 years of experience in the elevator industry. He has spent 25 of those years working for an elevator company and has held various positions in Hawaii and Southern California. Carl has worked in the field and has been involved in new product, service and modernizations sales. As a project manager for 15 years, he has been involved in creating specifications for service, modernization and new equipment. Mr. Shiroma holds a Qualified Elevator Inspector license (QEI #4356) under the ASME A17.1 Safety Code for Elevators and Escalators.

Tom Birks, Consultant: Joined HKA in 2011. Tom has over 40 years of experience in all aspects of the elevator industry. He has a broad range of experience with all types of equipment, service sales, repairs, modernizations, new equipment, consulting and manufacturing. Projects he has managed include universities, hospitals, museums, government agencies, military facilities, airports, single hydraulic elevator buildings, mid-rise traction elevator buildings, high speed high-rise buildings and malls with escalators. Tom is also a Qualified Elevator Inspector (QEI #4835) under the ASME A17.1 Safety Code for Elevators and Escalators.

Sean Kelly, Consultant: Joined HKA in 2013. Mr. Kelly has over 44 years of experience in the elevator industry. He has spent 20 of those years working as a field mechanic. He has worked in three states and four cities. Sean's experience makes him a very versatile consultant. He has worked with many different types of elevator projects in his career so far. He has written specifications and surveyed projects in service, modernization, and new equipment. Mr. Kelly has held all types of licenses in his career from Contractors C11, CCCM and CCCC License in the state California. Sean is also a Qualified Elevator Inspector license (QEI #5072) under the ASME A17.1 Safety Code for Elevators and Escalators.

Robert Vinson, Consultant: Joined HKA in 2015. Mr. Vinson has been working in the elevator industry since 2000 in several various capacities, from field new installation mechanic and foreman and new installation adjusting and maintenance technician and repair mechanic. He has a vast amount of knowledge with different manufacturers, product types, markets and business aspects/segments. His responsibilities include construction administration and project management, maximizing building owners and managers vertical circulation service through maintenance audits, modernizations and repairs, and serving the interests of our clients. Robert holds a Qualified Elevator Inspector license (QEI #5520) under the ASME A17.1 Safety Code for Elevators and Escalators.

Jeff Rodriguez, Consultant: Joined HKA in 2016. Mr. Rodriguez has over 30 years of experience in all aspects of the elevator industry. His experience includes new construction of elevators and escalators, maintenance and repair of elevators and escalators, as well as Service and Repair Operations Management experience. The majority of his field experience is in escalators and maintenance and repair.

Lee Chain, Northwest Territory Manager: Joined HKA in 2012. Lee has over 30 years of experience in all aspects of the elevator industry. She has a broad range of experience with all types of equipment, service sales, repairs, modernizations, new equipment and project management. Projects she has managed include office buildings, hospitals, hotels, university campuses, single hydraulic elevator buildings, mid-rise traction elevator buildings, high speed high rise elevator buildings and buildings with escalators.

Scott Powell, Draftsman/Designer: Joined HKA in 2014. Mr. Powell has over 40 years of elevator-related experience for virtually all building types, sizes and elevator applications. He has many years of experience as an elevator and escalator Designer. Scott's responsibilities include the creation of drawings and other related documents for construction.

Ted Ransons, Inspector. Joined HKA in 2019. Mr. Ransons has over 48 years of experience in all aspects of the elevator industry, including field operations and field management. In service and repair he started as a helper and worked his way to become a troubleshooter, adjustor and field engineer. He is proficient in field operations such as new equipment start-up, safety testing, elevator modernization and adjusting of hydraulic and traction elevators. He managed construction, repair, and service personnel as a superintendent.

Joe Orrico, Certified Elevator Inspector (QEI #369): Joined HKA in 1999 and was a Vice President of the Corporation until December, 2012. He is now semi-retired, but will continue to assist as a Qualified Elevator Inspector (QEI) on an as needed basis. Joe has over 44 years of elevator-related experience for virtually all building types, sizes and elevator applications.

HOW TO FIND US

California Office

HKA Elevator Consulting, Inc.
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e-mail: john@hkaconsulting.com

San Diego Office

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Suite A
San Diego, CA

Telephone: 949-582-4100

e-mail: alex@hkaconsulting.com

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15811 32nd Avenue NE
Lake Forest Park, WA 98155

Telephone: 206-954-1821
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Colorado Office

HKA Elevator Consulting, Inc.
501 S. Cherry
Las Vegas, NV 89120

Telephone: 720.665.3029
e-mail: DeanK@hkaconsulting.com

Florida Office (Coming Soon)

HKA Elevator Consulting, Inc.
Florida

Telephone: 310.435.6353
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Minnesota Office

HKA Elevator Consulting, Inc.
DBA: Elevator Consulting Services
Lakeville, MN 55044

Telephone: 651.335.6169
e-mail: PCleminson@hkaconsulting.com

WHEN WE WORK

Office Hours: Monday - Friday, 8:00 a.m. to 5:00 p.m. Pacific Time
Project Hours: As Required to Meet Client Schedules

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



**John Reynolds, Elevator Consultant/Principal and President
HKA Elevator Consulting, Inc.**

Experience:

2005 to Present - Principal and President of
HKA Elevator Consulting, Inc.

1990 to 2005 - Mitsubishi Electric &
Electronics, USA, Inc., Elevator & Escalator
Division, Service Manager, Branch
Manager, Superintendent and Various Field
Positions

1988 to 1990 - Otis Elevator Corporation,
Field Construction Department

1993 to 1998 - IUEC Instructor for Solid
State and Electronics

Education:

IUEC Apprenticeship - 1988 to 1992
CA State License Classes - 2001
Nevada State License Classes - 2004
CET Certification Testing - 2005

Affiliations:

State of California Contractors License from
2001 to Present

State of Nevada Contractors License from
2004 to Present

National Elevator Industry Education
Program Instructor, 1993 to 1998

Certified Elevator Inspector, ASME, Q.E.I.
No. C-3697

Responsibilities:

Mr. Reynolds has over 35 years of elevator-related experience for virtually all building types, sizes and elevator applications. He has a wealth of experience as an elevator and escalator mechanic, a supervisor, and, most recently, as a consultant for numerous projects. John's responsibilities include general vertical transportation consulting activities for new construction projects and existing properties, specializing in mid-rise and high-rise commercial office, residential and institutional buildings where he performs traffic analyses, prepares contract documents, analyzes bids and executes contract administration. Mr. Reynolds holds contractors licenses in two states. He also holds a Qualified Elevator Inspector license (QEI) under the ASME A17.1 Safety Code for Elevators and Escalators.

Relevant Experience:

Office Buildings

10 UCP – 34 Stories, 25 Elevators
777 Tower, Los Angeles - 52 Stories, 32 Elevators and 2 Escalators, Maintenance
Fox Plaza, Los Angeles - 32 Stories, 16 Elevators and 10 Escalators, Maintenance
One America Plaza, San Diego - 19 Elevators, Construction and Maintenance
MGM Tower, Los Angeles - 23 Elevators, Maintenance
Universal Studios, Los Angeles - Maintenance
Warner Brothers Studios, Burbank - 50 + units, Maintenance and Modernization
Plaza Towers, Costa Mesa - 21 Stories, 10 Elevators, Construction and Maintenance
Westwood Gateway, Los Angeles - 31 Elevators, Maintenance and Modernization
Symphony Towers, San Diego – 16 Elevators, Maintenance and Modernization
450 B Street, San Diego – 6 Elevators, Modernization

Specialty

Chatsworth Courthouse, Chatsworth - 13 Elevators and 2 Escalators, Maintenance
Antelope Valley Courthouse, Antelope Valley - 13 Elevators
Bunker Hill Tower, Los Angeles - 32 Stories, 5 Elevators, Modernization
La Tour Condominiums, Los Angeles - 25 Stories, 6 Elevators, Maintenance
Remington Condominiums, Los Angeles - 24 Stories, 6 Elevators, Construction and Maintenance
Military – Camp Pendleton, 29 Palms, Coronado, MCRD
Palomar College



Experience:

2012 to Present – Principal and Vice President of HKA Elevator Consulting, Inc.

2009 to 2012 – Sr. Vice President of Power Efficiency Corporation & Power Efficiency, Asia

2007 to 2009 – Associate of HKA Elevator Consulting, Inc.

2006 - Barker Mohandas LLC, Principal & Consultant

2005 to 2006 - Int'l. Technical Services Shanghai China, Vice President

2003 to 2005 - ThyssenKrupp Dongyang Elevator, Chief Technology & Production Officer, Seoul, Korea

2001 to 2003 - ThyssenKrupp Elevator, Operations Manager and Regional Trainer, Michigan & Wisconsin

1999 to 2001 – Computerized Elevator Controls, Western Region Technical Sales & Field Engineering Support Manager, Los Angeles, CA

1979 to 1999 - Dover Elevator Co., Int'l. Operations/Technical Manager, Field Engineer, Adjusting & Construction Supt., Adjuster & Troubleshooter

Education:

Architecture - Lawrence Institute of Technology, MI, 1975 to 1976

Mechanical Engineering - Holmes Junior College, MS, 1976 to 1978

Mechanical Engineering - Central Michigan University, 1978 to 1979

Lift Engineering - Northampton University, England, MSc, 2005 to 2010

Affiliations:

National Association of Elevator Safety Authorities (NAESA International) 2002 to Present

Certified Elevator Inspector, ASME, Q.E.I. No. C-2830

Member Council of Tall Buildings and Urban Habitats

**Alan Taylor, MSc - Elevator Consultant/Principal & Vice President
HKA Elevator Consulting, Inc.**

Responsibilities:

Mr. Taylor has over 40 years of experience in the elevator industry. He has spent 20 of those years working on international projects. He has lived in Asia and has firsthand elevator experience in over 34 countries. Alan's experience makes him a very versatile consultant. He will work with architects and designers to build elevator solutions, conduct traffic analysis, write specifications and survey projects. Mr. Taylor holds a Master's of Applied Science specializing in Lift Engineering and is also a Qualified Elevator Inspector (QEI) under the ASME A17.1 Safety Code for Elevators and Escalators.

Relevant Experience:

Office Buildings

OCPC, Orange County - 32 Elevators
Sunset Media, Hollywood – 6 Elevators
City of Beverly, Hills, Beverly Hill CA - 67 Elevators
Century City Center, Century City – 19 Elevators
5901 Sunset, Hollywood CA – 9 Elevators
Torres Puetra Reforma, Mexico City, Mx – 67 Elevators & 8 Escalators

Hotels

AC Hotel, San Jose CA – 4 Elevators
Wailea Marriott Beach Resort, Wailea Maui – 10 Elevators
Hyatt Regency, San Francisco CA – 2 Elevators
Waterfront Hilton, Huntington Beach CA – 7 Elevators

Hospitals

Century City Hospital – Century City CA – 7 Elevators
Kaiser Hospital, Downey CA – 2 Elevators

Specialty

Petersen Auto Museum – 3 Elevators & 1 Auto Lift
Academy Museum of Motion Pictures, Los Angeles – 9 Elevators & 10 Escalators
CSUN Oviatt Library, Northridge CA – 2 Elevators
US Embassies, Taipei, Mexico, Netherlands

Residential

The Village at USC, Los Angeles – 14 Elevators
Parcel Q Los Angeles – 22 Elevators 10 Escalators
Shoreline Gateway Long Beach – 4 Elevators
One BH Beverly Hills – 26 Elevators



Sean M. Kelly - Elevator Consultant
HKA Elevator Consulting, Inc.

Experience:

2013 to Present - Elevator Consultant, HKA Elevator Consulting, Inc.

2010 to 2012 – Service Superintendent
 Kone Elevator, San Diego, CA

2003 to 2010 – President Omega Elevator,
 San Diego, CA

2002 to 2003 – Otis Elevator Co. Territory
 Manager, Orange County, CA

2000 to 2002 – Oliver & Williams Elevator
 Co. (NAES Otis Elevator Co.), Operations
 Manager, Los Angeles, CA

1997 to 2000 – Dover Elevator Service Sales
 Manager, Los Angeles, CA

1995 to 1997 – Security Elevator (Dover
 Elevator) Manager of Satellite Office,
 Atlantic City, NJ

1982 to 1995 – Security Elevator (Dover
 Elevator) Service Adjuster: PA, NJ, DE;
 Service Mechanic: PA, NJ

1974 to 1982 – Elevator Sales & Service &
 Penn City Elevator Helper & Mechanic

Affiliations:

Certified Elevator Inspector, ASME, Q.E.I.
 No. C-5072

Responsibilities:

Mr. Kelly has over 42 years of experience in the elevator industry. He has spent 20 of those years working as a field mechanic. He has worked in three states and four cities. Sean's experience makes him a very versatile consultant. He has worked with many different types of elevator projects in his career so far. He has written specifications and surveyed projects in service, modernization and new equipment. Mr. Kelly has held all types of licenses in his career from Contractors C11, CCCM and CCCC License in the state California. Mr. Kelly holds a Qualified Elevator Inspector license (QEI #5072) under the ASME A17.1 Safety Code for Elevators and Escalators.

Relevant Experience:

Office Buildings

Curtis Center, Philadelphia, PA - 16 Elevators
 Wanamaker Building - 23 Elevators
 1608 Walnut Street, Philadelphia, PA - 4 Elevators

Hotels

Show Boat Casino, Atlantic City, NJ – 20 Elevators and 6 Escalators
 Trump Taj Mahal Casino, Atlantic City, NJ - 60 elevators and Escalators
 Claireage Casino, Atlantic City, NJ - 20 Elevators and Escalators
 Holiday Inn By the Bay, San Diego, CA - 10 Elevators
 Rittenhouse Towers, Philadelphia, PA - 11 Elevators

Hospitals

Riddle Memorial Hospital, PA - 12 Elevators

Airports

Ontario Airport, Ontario, CA – 6 Elevators and 6 Escalators

Specialty

Disneyland, Anaheim, CA - 120 Elevators & Escalators
 Getty Oil Refinery DE Coker Freight Elevator
 Mobile Oil Refinery, NJ – 7 Elevators

Mass Transit

San Diego MTS, San Diego, CA – 4 Escalators and 10 Elevators

Retirement Communities

Dunwoody Estates Newtown Square, PA - 11 Elevators
 Waverley Manor, PA – 11 Elevators



Experience:

2021 - Present
 Technical Director/
 Senior/Associate Consultant
 HKA Elevator Consulting, Inc.

2019 - 2021 North America New Installation
 Product Manager
 ThyssenKrupp Elevator

2014 - 2019
 Mid- and High-Rise Product Lifecycle
 Manager
 ThyssenKrupp Elevator

2011 - 2014
 North America Field Efficiency Manager
 ThyssenKrupp Elevator

2001 - 2011
 National Trainer/Field Support
 ThyssenKrupp Elevator

1980 – 2011
 Elevator/Mechanical/Technical Expert,
 ThyssenKrupp Elevator
 IUEC Mechanic/Adjustor
 ThyssenKrupp Elevator

1985 – Present
 Instructor/Workshop Leader, NEIEP
 Provide training for apprenticeship program
 locally as well as leading workshop seminars
 for instructors.

Education:

Affiliations:

LEED Green Associate
 National Elevator Industry Education
 Program 1985 to Present
 Certified Elevator Inspector, ASME, Q.E.I.

**Donnie Bacak - Technical Director/Senior/Associate Consultant
 HKA Elevator Consulting, Inc.**

Responsibilities:

Mr. Bacak has more than 40 years of experience in the elevator industry. He has spent much of his career in North and South America, Asia, Europe and Brazil, working alongside manufacturing and engineering to develop new technology and products for the vertical transportation market. He will work with architects and designers to build elevator solutions, conduct traffic analysis, write specifications and survey projects. Mr. Bacak has a background in product lifecycle and product strategy for new equipment and is a Qualified Elevator Inspector (QEI) under the ASME A17.1 Safety Code for Elevators and Escalators.

Relevant Experience:

Office Buildings

One World Trade Center, NY, NY – 71 Elevators, 12 Escalators
 50 Hudson Yards, NY, NY – 94 Elevators (40 TWIN elevator systems),
 55 Hudson Yards, NY, NY – 27 Elevators, 12 Elevators/Escalators Shed
 Comcast, Philadelphia, PA – 37 Elevators, 2 Escalators
 Wynn Las Vegas, Las Vegas, NV - 98 Elevators, 8 Escalators
 Encore at Wynn Las Vegas, Las Vegas, NV - 87 Elevators, 4 Escalators
 Fontainebleau, Las Vegas, NV - 102 Elevators, 23 Escalators
 Cosmopolitan Resort Casino, Las Vegas, NV - 82 Elevators, 18 Escalators
 M Resort, Las Vegas, NV – 21 Elevators, 4 Escalators
 Bellagio Spa Tower, Las Vegas, NV – 23 Elevators, 2 Escalators

Hotels

Hospitals

Specialty

IQC Test Tower, Atlanta, GA
 TKE Test Tower, Rottweil, Germany – MULTI, TWIN Elevator hoistways

Residential



City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



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Putting People at the Center of Innovation

With a history that dates back over 100 years, IMEG Corp. grew from several firms coming together under one unifying vision: people-centered engineering. As a national engineering and design consulting company we've intentionally localized our focus to serve carefully chosen regions and markets, allowing us to put relationships and communities first, without sacrificing expertise.

Our specialties are high-performing building systems, infrastructure, program management and construction-related services, but our secret to success is found in our deep bench of 1,800 team members. For us, people-centered engineering is about more than the people we serve — it's representative of the engaged employee culture we've worked hard to create. We believe in investing in our people and their professional futures through continuous training, community involvement and the ability to develop a niche specialty.

After all, that's the whole reason we're drawn to people-centered engineering: everyone wins. By utilizing a collaborative project approach that values our local relationships, national resources, and employee engagement, we're able to produce high-caliber work through high-quality processes driven by our **ONE IMEG** culture.

Collaborative, Local Design Partners

IMEG engineers have a long track record of helping public institutions create facilities that are safe, secure, flexible, reliable, redundant and energy efficient. We have engineered nearly every type of municipal government facility, from administrative offices, maintenance facilities, public works, police, fire and village halls, to maintenance facilities, jails, transportation centers, parking ramps, waste and water treatment facilities, parks, zoos, and more. Our municipal work includes small and large scale projects, both renovation and new construction.

Market Sector

- Top 25 (#21) Government Sector Engineering Firm in the U.S
- 250+ clients (city, county, state)
- 3,500+ projects with \$25 billion in construction value

Josh Massey, LEED AP BD+C, CxA

PROJECT MANAGER



Josh has more than 23 years of experience in mechanical engineering and project management. He has been responsible for the design and management of several projects, most of which as prime consultant to the project Owner. Project types include the municipal sector, including libraries, police stations, fire facilities and community centers; medical facilities; K-12 public schools; higher education facilities; and multifamily housing. His tasks include managing multiple discipline teams, designing working drawings, writing specifications, bid assistance, and construction management. His project experience also includes LEED/Commissioning, building automation systems, energy analysis and audits, central plant engineering and design, Title-24 compliance, regulatory agency approvals, and project cost estimates.

PROJECT HIGHLIGHTS

- City of Alameda, CA, 1,265-sf Recreation Building Renovation
- City of Daly City, CA, Westlake Library HVAC Replacement
- City of Fairfield, CA, 6,000-sf New Community Center
- City of Manhattan Beach, CA, 10,500-sf Manhattan Beach Fire Station No. 2
- City of Moorpark, CA, 22,000-sf City Hall Tenant Improvement
- City of Moreno Valley, CA, 45,900-sf Public Safety Building HVAC System Upgrade
- City of Moreno Valley, CA, Civic Center Amphitheater Energy Calculations
- City of Ontario, CA, Ontario Convention Center Expansion Assessment
- City of Santa Monica, CA, Fire Department Facility MEP Assessments
- City of Yucaipa, CA, 22,500-sf New Police Station
- County of Riverside, Palm Springs, CA, New Electrical Services
- Los Angeles Unified School District, Los Angeles, CA, Marlton Special Education Center Voluntary Barrier Removal Modular Elevator Addition
- Riverside County Law Library, Riverside, CA, Victor Miceli Law Library Foundation HVAC and Power Upgrade
- San Bernardino County, Colton, CA, ARMC Sonic Irrigator Replacements
- San Bernardino County, Needles, CA, Colorado Sheriff's Station Remodel
- San Bernardino County, Redlands, CA, Museum Humidification Addition

Experience

23 Total, 9 with IMEG

Education

University of California Extension
Riverside, CA, Certificate in AutoCAD

Certifications

LEED AP BD+C, GBCI (25107)
Certified Commissioning Authority (1216-1488), ACG

Affiliations

ASHRAE
USGBC Inland Empire

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS

Daphne Huang, PE, LEED AP

SENIOR MECHANICAL ENGINEER



Daphne brings over 19 years of mechanical engineering experience in the design of various commercial, educational, industrial and correctional infrastructure and facilities projects. Her responsibilities include the complete supervision of all aspects of the engineering and design of the heating, ventilating, and air conditioning (HVAC) systems from initial design to project completion, final shop drawings and project punch list. She provides development of contract documents, specifications as well as client coordination, construction support. She is proficient in Trace 700 and EnergyPro softwares for load calculations and title 24 reports; BLCC for building life-cycle cost analysis; AutoCAD 2018, Microstation V8i and Revit MEP 2018.

PROJECT HIGHLIGHTS

- Central School District, Rancho Cucamonga, CA, 10,000-sf New 2-Story Dona Merced Elementary School, Including 8 Classrooms, Utility Rooms, Elevator, and Stair Access
- City of Moreno Valley, CA, 45,900-sf Public Safety Building HVAC System Upgrade
- County of Riverside, Banning, CA, 2,900-Sf Cois M Byrd Detention Center Remodel
- County of Ventura, CA, Ventura County Medical Center Helipad Project
- Inland Empire Health Plan, Rancho Cucamonga, CA, 7,000-sf Executive Boardroom Tenant Improvement
- Riverside County Law Library, Riverside, CA, Victor Miceli Law Library Foundation HVAC and Power Upgrade
- Riverside University Health System, Moreno Valley, CA, Critical Air Handler Replacement
- San Bernardino County, Colton, CA, Arrowhead Regional Medical Center Condenser Water Pump VFD Addition
- San Bernardino County, Needles, CA, Colorado Sheriff's Station Remodel
- San Bernardino County, San Bernardino, CA, 2,500-sf District Attorney Emergency Operations Center Renovation
- San Bernardino County, Yucaipa, CA, Building Renovations
- San Bernardino County, Yucaipa, CA, Dunlop Park Site Improvements
- Sunline Transit Agency, Indio, CA, 2,800-sf Indio Facility Tenant Improvement

Experience

19 Total, 4 with IMEG

Education

University of Southern California, Los Angeles, MS Mechanical Engineering
Beijing Polytechnic University, BS Mechanical Engineering

Registrations

Professional Mechanical Engineer
California (34080)

Certifications

LEED Accredited Professional

Affiliations

ASHRAE

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120) : APPROVE THE AGREEMENT WITH MARKS

Nestor Ignacio, PE

ELECTRICAL ENGINEER



Nestor has more than 31 years of electrical engineering experience for both new and existing municipal, education, corporate and healthcare facilities. His responsibilities include construction cost estimating, specification writing, construction administration, bidding and negotiation, and all aspects of electrical engineering and design. Nestor has designed lighting, power, fire alarm, security, radio, intrusion alarm, paging, AV, communication, voice, and data distribution systems including fiber optic backbones and Category 6 copper to workstations. He has been responsible for the design of a number of projects including but not limited to municipal facilities, college campuses, clinics/hospitals, infrastructure upgrades and central plants.

PROJECT HIGHLIGHTS

- Alameda Square, Los Angeles, CA, Building 2 Elevator Lobby
- Central School District, Rancho Cucamonga, CA, 10,000-sf New 2-Story Dona Merced Elementary School, Including 8 Classrooms, Utility Rooms, Elevator, and Stair Access
- City of Moreno Valley, CA, City Hall Data Center HVAC
- City of Moreno Valley, CA, 45,900-sf Public Safety Building HVAC System Upgrade
- City of Moreno Valley, CA, Box Springs Communications Tower
- City of Moreno Valley, CA, City Hall EOC Generator
- City of Moreno Valley, CA, City Hall Exterior Improvements
- Disneyland Resort, Anaheim, CA, Star Was Trading Post Elevator
- Harbor UCLA Medical Center, Torrance, CA, Warehouse Elevator
- Los Angeles Community College District, Culver City, CA, WLAC ATA Bridge & B4/B5 Elevator
- Los Angeles Unified School District, Los Angeles, CA, Marlton Special Education Center Voluntary Barrier Removal Modular Elevator Addition
- Riverside University Health System, Moreno Valley, CA, Critical Air Handler Replacement
- San Bernardino County, Colton, CA, ARMC Modernization of Four (4) Elevators including power removal and re-installation for the new equipment and fire alarm design
- San Bernardino County, Colton, CA, Two Elevator Modernizations - Arrowhead Regional Medical Center
- St. Mary Regional Medical Center, Apple Valley, CA, Elevator Modernization

Experience
31 Total, 23 with IMEG

Education
California State University, Long Beach
BS Electrical Engineering

Registrations
Professional Engineer
California (E16934)

Affiliations
Institute of Electrical and Electronics Engineers
National Society of Professional Engineers
California Society of Healthcare Engineers
ACE Mentor 1E Chapter Board Member

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City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



Iskander Associates, Inc.

#

Iskander Associates, Inc. is a California-based construction cost estimating and scheduling firm. In business since 1988, we maintain a talented pool of certified staff and independent consultants allowing the flexibility and combined experience required to meet the needs of our nearly 300 completed projects state-wide. Among them are scores of public projects of ranging in size from small school modernizations to large state office buildings and prison facilities, along with historical renovations, seismic retrofits, and complete building rehabilitation.

Our firm has built a reputation throughout the state for accurate and timely work. This has afforded us the honor of working with the State of California. We believe that our combined experience, diversity and technology allow us to bring your project the best services available

Iskander A.R. Abdulla

Iskander A.R. Abdulla has more than thirty years of experience in the coordination, administration, management of construction projects in the United States and overseas. In addition to his experience in Quantity Surveying, Mr. Abdulla has participated in Value Engineering, Cost Estimating and Cost Management on many projects. Mr. Abdulla is a civil engineer and also a lecturer on Advanced Estimating and Bidding at California State University in Long Beach. Mr. Abdulla has a Nevada General contractor's license.

Iskander Associates, Inc.
 600 N Tustin Avenue
 Suite 130
 Santa Ana, CA 92705
 Tel: (714) 544-4214
 Tel: (714) 287-4484 cell
 Fax: (714) 544-1206
 Email: iskander@iskanderinc.com



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3. PRIOR RELATED EXPERIENCE

Provide a list of representative projects of similar scope and nature performed in the last five (5) years, particularly. Include a contact person for each representative project listed.

Marks Architects, Inc. and our team including HKA and IMEG, recently completed the design and construction documents for complete elevator modernization for two projects at Arrowhead Regional Medical Center in Colton, California.

Project 1 included the modernization of two 7-story trauma elevators which had been failing frequently, in one case stranding a patient temporarily inside the elevator.

Project 2 included the modernization of all four 7-story public elevators central to the vertical transportation throughout the hospital.

Both projects involved the replacement of drive systems, power converters, motors, self-leveling systems, traffic programs, emergency service operations, inspection systems, code blue systems, safety protocols, automatic standby power operations, closed loop door operators, door protection devices, hoistway operating devices, emergency stop pit switch, car operating panels, emergency power car lighting with battery backup, hands-free phone, car position indicators, hall buttons, and hall direction lanterns.

Client: San Bernardino County
 Contact: Monir Abdo, Sr. Project Manager, 909-387-5000, monir.abdo@res.sbcounty.gov

Other Client references with addresses and telephone numbers:

City of Palm Springs	
Marcus Fuller, Assistant City Manager P.O. Box 2743 Palm Springs, CA 92263-2743 760.322.8380 marcus.fuller@palmsspringsca.gov	Mike Lytar, Associate Civil Engineer P.O. Box 2743 Palm Springs, CA 92263-2743 760.902.4861 mike.lytar@palmsspringsca.gov
SunLine Transit Agency	
Jesse Frescas, Owner's Representative 32-505 Harry Oliver Trail Thousand Palms, CA 92276 760.343.3456 jfrescas@sunline.org	Rudy LeFlore, Project Manager 32-505 Harry Oliver Trail Thousand Palms, CA 92276 562.696.6996 rlflore@sunline.org
San Bernardino County	
Deval Shah, Project Manager III Project & Facilities Management Department 385 N. Arrowhead Avenue, 3rd Floor San Bernardino, CA 92415-0184 909.387.5000 devalkumar.shah@res.sbcounty.gov	Michael Maynard, Project Manager III Project & Facilities Management Department 385 N. Arrowhead Avenue, 3rd Floor San Bernardino, CA 92415-0184 909.387.5000 michael.maynard@res.sbcounty.gov
San Bernardino County Sheriff's Department	
Joe Cordero, Facilities Director 655 East Third Street San Bernardino, CA 92415-0061 jcordero@sbcasd.org	Kenny Hansen, Facility Project Manager 655 East Third Street San Bernardino, CA 92415-0061 909.387.0374 khansen@sbcasd.org

HKA Elevator Consultants, Inc. has a track record of over 20 years of outstanding service with corporate roots in the industry founded in 1963. A list of representative project experience follows.

HOW WE WORK

Services are provided on a maximum "not-to-exceed" fixed fee, based on a defined scope of work.

Existing Properties: Fees for maintenance evaluations, due diligence or modernizations are quoted on a "per project" or "per unit" basis depending on the complexity of project, client requirements and the number of units.

New Construction: Fees are structured on a "per project" basis depending on the size and complexity of the vertical transportation systems. Fees may range from less than one percent to six percent of the vertical transportation construction costs.

**RELATIVE EXPERIENCE
SELECT PROJECTS**

Partial List of Projects Managed by HKA Consultants with HKA or while with Other Firms Complete, Under Construction or in Design

HOTELS	
<p>NEW CONSTRUCTION</p> <p>7th & Island Hotels – San Diego, CA 677 5th Avenue – New York, NY Aliante Station – Las Vegas, NV Argyle Hotel – Hollywood, CA Austin Bastrop Resort - Bastrop, TX Bellagio Hotel & Casino - Las Vegas, NV Bellagio Spa Tower - Las Vegas, NV Beverly Wilshire Club – Beverly Hills, CA Boulder Station Hotel Casino - Las Vegas, NV Choctaw Hotel – Pocola, OK Chumash Casino Resort – Santa Ynez, CA Cosmopolitan Hotel Casino – Las Vegas, NB Courtyard Marriott Gaslamp Hotel – San Diego Crown Perth 3rd Hotel Addition – Perth, Australia Delano Mondrian at Echelon – Las Vegas, NV Delta Downs Hotel Expansion – Vinton, LA Dragon Hill Lodge - Seoul, Korea Durango Station – Las Vegas, NV Encore at Wynn Las Vegas – Las Vegas, NV Estancia - La Jolla, CA Fairmont Hotel – Monterey, CA Fontainebleau – Las Vegas, NV Four Seasons - Baltimore, MD Four Seasons - East Palo Alto, CA Four Seasons - Jackson Hole, WY Four Seasons - Sedona, AZ Four Seasons – Vail, CO Four Seasons – Sharm El-Sheikh, Egypt Golden Nugget Hotel - Lake Charles, LA Graciela Burbank Hotel - Burbank, CA Grand Avenue Residential & Hotel – Los Angeles</p>	<p>EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES</p> <p>Ala Moana Hotel – Honolulu, HI Bally Hotel & Casino South Tower – Las Vegas Caesars Harrah’s Hotel & Casino – Lake Tahoe Caesar’s Palace – Atlantic City, NJ Choctaw Hotel – Pocola, OK Crystal Hotel – Compton, CA Doubletree Hotel - Del Mar, CA Downtown Grand (Lady Luck Hotel) – Las Vegas Dragon Hill Lodge - Seoul, Korea Four Seasons Biltmore - Santa Barbara, CA Four Seasons Hotel - Newport Beach, CA Hanalei Hotel - San Diego, CA Harrah’s Hotel & Casino – Atlantic City, NJ Hilton Garden Inn – Phoenix, AZ Holiday Inn Hotel & Casino – Las Vegas, NV Holiday Inn on the Bay - San Diego, CA Holiday Inn Select - Los Angeles, CA Hotel Irvine – Irvine, CA Hyatt Aventine - La Jolla, CA Island Colony Hotel – Honolulu, HI Kauai Coconut Beach Resort - Kauai, HI Lady Luck Hotel – Las Vegas, NV Loews Santa Monica Beach Hotel – CA Marriott Hotel - Torrance, CA Manele Bay Hotel – Lanai City, HI New Otani Hotel & Garden - Los Angeles, CA Ramada Inn – Glenwood Springs, CO Ramada Inn - San Francisco, CA Residence Inn Hotel – Los Angeles, CA Ritz Carlton – Chicago, IL San Diego Gas Lamp Suites - San Diego, CA</p>

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<p>Graton Rancheria Casino – Rohnert Park, CA Green Valley Resort - Henderson, NV</p>	<p>Seminole Hard Rock Hotel – Hollywood, FL Sheraton Universal City - Los Angeles, CA</p>
<p>Hard Rock Hotel Expansion – Las Vegas, NV Hard Rock Hotel – Palm Springs, CA Hard Rock Hollywood LPT Tower – FL Hard Rock Orient Garage – Tampa, FL Hard Rock Pedestrian Bridge – Tulsa, OK Hard Rock Tampa Garage & Casino Expansion Hard Rock Tampa Tower – Tampa FL Harrah’s Hotel & Casino - Bossier City, LA Harrah’s Hotel & Casino - New Orleans, LA Harrah’s Hotel & Casino - North Kansas City, MO Harrah’s Hotel & Casino - Shreveport, LA Harrah’s Hotel & Casino - St. Louis, MO Harrah’s Rincon Hotel - Valley Center, CA Hotel Nikko - San Francisco, CA Hyatt Hotel at The Aventine - La Jolla, CA Hyatt Regency at Coconut Point - Naples, FL Hyatt Regency Hotel Expansion - San Diego, CA Hyatt Regency Lake Las Vegas - Henderson, NV Hyatt Regency Tamaya Resort - Bernalillo, NM JUMP – Boise, ID Lady Luck Hotel - Las Vegas, NV Lago Resort Casino – Tyre, NY LEGOLAND Hotel – Carlsbad, CA Lizard Hotel – Los Angeles, CA Marriott Hotel & Marina - San Diego, CA Marriott Hotel – Marina del Rey, CA Maruko Hotel @ LAX - Los Angeles, CA Maryland LIVE Hotel Tower – Hanover, MD Mirage Hotel & Casino - Las Vegas, NV Mont Parnes - Athens, Greece Mystic Lake Hotel Tower - Prior Lake, MN New York, New York - Las Vegas, NV Oceanside Beachfront Hotel – Oceanside, CA Pacific City Hotel – Huntington Beach, CA Palace Station Hotel - Las Vegas, NV Palmetto Bluffs Resort – Bluffton, SC Palomar Hotel – Palm Springs, CA Paris Hotel/Casino & Eiffel Tower- Las Vegas, NV</p>	<p>The BLOC Sheraton Hotel – Los Angeles, CA The Lowell Hotel - Beverly Hills, CA Thompson Hotel – Beverly Hills, CA Wailea Marriott – Maui, HI West Coast Anaheim Hotel - Anaheim, CA Westgate Hotel - San Diego, CA Whittier Hilton Hotel - Whittier, CA</p>

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Park Hyatt Hotel - San Francisco, CA
 Pechanga Eagle 3 Casino - Temecula, CA
 Pechanga Resort Hotel Addition – Temecula, CA
 Pelican Hill Resort – Newport Beach, CA
 Pinnacle - Lake Charles, LA
 Pinnacle Hotel Casino – Baton Rouge, LA
 Portman - San Francisco, CA
 Red Rock Resort Casino - Las Vegas, NV
 Resorts WORLD Las Vegas – Las Vegas, NV
 Rio Suites Hotel & Casino - Las Vegas, NV
 Ritz-Carlton Lake Las Vegas - Henderson, NV
 Ritz-Carlton - San Antonio, TX
 Ritz-Carlton - San Francisco, CA
 Ritz-Carlton - Half Moon Bay, CA
 Ritz-Carlton Bachelor Gulch - Beaver Creek, CO
 Sacramento Downtown Plaza – Sacramento, CA
 San Diego Gaslamp Hotel – San Diego, CA
 Shoreline Conference Center - Palo Alto, CA
 Squaw Creek Resort - Truckee, CA
 Spirit Mountain Lodge - Willamina, OR
 Stardust Hotel - Las Vegas, NV
 Sugarcane Bay – Lake Charles, LA
 Sunset Station - Henderson, NV
 The BLOC Sheraton Hotel – Los Angeles, CA
 The Montage - Laguna Beach, CA
 The Montage - Beverly Hills, CA
 The Montage Deer Valley – Park City, UT
 The Plaza Las Vegas – Las Vegas, NV
 Treasure Island - Las Vegas, NV
 Trump International Hotel and Tower – Las Vegas
 Waterfront Hilton Hotel - Huntington Beach, CA
 Westin Kierland Resort - Phoenix, AZ
 Wild Horse Pass - Sacaton, AZ
 Wynn Cotai Resort – Macau, China
 Wynn Resort - Las Vegas, NV



SPECIALTY

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<p>NEW CONSTRUCTION</p> <p>Apple Computers - Cupertino, CA Barneys New York - Beverly Hills, CA Bella Terra Mall - Huntington Beach, CA Cirque du Soleil Theaters at Treasure Island, Mirage, Bellagio, NY NY, MGM - Las Vegas, NV Corcoran Museum of Art - Washington, D.C. Cosmopolitan Theatre – Las Vegas, NV Denver Art Museum Expansion - Denver, CO Disneyland Moving Walk Study - Anaheim, CA Disney World Tower of Terror Ride – Orlando, FL Experience Music Project - Seattle, WA Fox Studios Sports Broadcasting - L.A., CA Getty Center Arts Museum - Los Angeles, CA Getty Villa – Malibu, CA Guggenheim Museum - Bilbao, Spain Harold LeMay Museum - Spokane, WA Jackson Rancheria Casino Expansion - CA Kaiser Convention Center - Oakland, CA Performing Arts Center - Dallas, TX Promenade at Howard Hughes Center - L.A., CA Qualcomm Stadium - San Diego, CA Rio Convention Ctr. Exp. - Las Vegas, NV San Diego Convention Ctr. Exp. - San Diego, CA San Diego New Main Library - San Diego, CA San Jose Joint Library - San Jose, CA Seattle Public Library - Seattle, WA Sony Studios Television Building -Culver City, CA Sunset & Vine - Hollywood, CA The Getty Villa - Malibu, CA The Gift Center - San Francisco, CA The Limited - Various Locations Two Rodeo Drive - Beverly Hills, CA U.S. Navy Design Manual West Hollywood Gateway - Hollywood, CA Wylly Theatre – Dallas, TX Fresno Bee Museum – Fresno, CA LA Live Hotel Convention Center – LA, CA Staples Center – LA, CA LA Convention Center – LA, CA NFL Stadium – LA, CA</p>	<p>EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES</p> <p>Bank of America, California Audit Los Angeles Convention Center – L.A., CA LAMTA - Los Angeles, CA McDonald Douglas AISF - Los Angeles, CA NDOT Tropicana Pedestrian Bridges - Las Vegas, NV San Diego Convention Center - San Diego, CA Santa Monica Place - Santa Monica, CA Sanwa Bank - Various Locations Two Rodeo Drive - Beverly Hills, CA Westside Pavilion - Los Angeles, CA Mt. Wilson Solar Observatory Inspections Queen Mary – Long Beach, CA</p>
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AIRPORTS

<p>NEW CONSTRUCTION</p> <p>Anchorage International Airport - Anchorage, AK Denver International Airport - Denver, CO Fairbanks International Airport - Fairbanks, AK John Wayne Airport Transportation Ctr.- O.C., CA Oakland Airport - Oakland, CA San Jose International Airport – San Jose, CA San Diego International Airport - San Diego, CA</p>	<p>EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES</p> <p>Fairbanks International Airport - Fairbanks, AK Reno Tahoe Airport – Reno, NV San Diego International Airport - San Diego, CA</p>
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HOSPITALS

NEW CONSTRUCTION

California Medical Center - Los Angeles, CA
 Cedars-Sinai Medical Center - Los Angeles, CA
 Emanuel Hospital - Portland, OR
 Hollywood Presbyterian Hospital - L.A., CA
 Kaiser Permanente Med. Ctr.- Panorama City, CA
 Marin General Hospital - Greenbrae, CA
 Mission Hospital Regional Medical Center - Mission Viejo, CA
 Nevada Cancer Center - Las Vegas, NV
 Oregon Health Sciences University
 Riverside General Hospital - Riverside, CA
 Santa Monica Hosp. Med. Ctr.- Santa Monica, CA
 Shriners Hospital - Los Angeles, CA
 Shriners Hospital - Honolulu
 St. Joseph's Hospital - Burbank, CA
 St. Joseph's Hospital - Bellingham, WA
 U.C.S.D., Thornton Hospital - San Diego, CA
 U.C. San Diego Medical Center - San Diego, CA
 Vaca Valley Hospital ER Room – Vacaville, CA

EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES

Camp Pendleton Navy Hospital - San Diego, CA
 Cedars-Sinai Medical Center - Los Angeles, CA
 Naval Hospital - Long Beach, CA
 Naval Medical Center - San Diego, CA
 Northridge Medical Center - Northridge, CA
 Providence Seaside Hospital - Seaside, OR
 Riverside Community Hospital - Riverside, CA
 Westwood Medical Center - Los Angeles, CA

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GOVERNMENTAL AGENCIES

NEW CONSTRUCTION

American Institute - Taipei
 Anchorage Courthouse Exp. - Anchorage, AK
 BEQ P915, P916 - Twenty-Nine Palms, CA
 BEQ #5 - Camp Pendleton, CA
 BEQ Area 41 - Camp Pendleton, CA
 BEQ Margarita #6 P046, P357 - Camp Pendleton
 BEQ MARSOC P206/P208 - California
 BEQ MARSOC W-Facilities - California
 BEQ P726 - Camp Pendleton, CA
 BEQ P1109, P1113 - Camp Pendleton
 BEQ Recruit Barracks P1069 - Camp Pendleton
 Camp Pendleton P114 MV22 Double Hanger
 Children's Court Facilities - Los Angeles, CA
 CNATT Area 22 P109 - Oceanside, CA
 East County Hall of Justice - Dublin, CA
 Emergency Operations Center - Los Angeles, CA
 Exposition Park DPSS - Los Angeles, CA
 Fairbanks Courthouse - Fairbanks, AK
 Federal Office Building and Courts - Oakland, CA
 Federal Office Building - San Diego, CA
 LA Air Force Base Parking P3021 - El Segundo
 Metropolitan State Hospital Admin. Bldg.- Norwalk
 Mid City Police Station LAPD - Los Angeles, CA
 Naval BEQ - San Diego, CA
 Naval FISC - San Diego, CA
 Naval Medical Center - San Diego, CA
 Navy Building AET 3143 - San Diego, CA
 North Island Naval Base - San Diego, CA
 Pacific Beacon, Naval Base - San Diego, CA
 Riverside County Jail - Riverside, CA
 San Diego East County Reg. Ctr. - El Cajon, CA
 San Diego Federal Courthouse - San Diego, CA
 San Diego Justice Center - San Diego, CA
 San Jose Civic Center - San Jose, CA
 Santa Rosa Criminal Courthouse - CA
 Skinner Ozone Retrofit - Temecula, CA
 South Bay Regional Center - San Diego, CA
 State of California - Statewide
 Warrior in Transition Barracks & Complex - Oahu
 West Los Angeles DPSS - Los Angeles, CA
 Yolo County Woodland Courthouse - CA

EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES

Anchorage Federal Office Bldg. - Anchorage, AK
 BEQ MCRD P293 & P294 - San Diego, CA
 BEQ Coronado P742 - Coronado, CA
 Beverly Hills Police Facility - Beverly Hills, CA
 California Compton Courts - CA
 California Metropolitan Court - Los Angeles, CA
 CALTRANS Building - Los Angeles, CA
 China Lake 14535 & 15725 - China Lake, CA
 Clara Shortridge Foltz Courthouse - Los Angeles
 Clark County - 309 S. 3rd St., Nevada
 Clark County - 3rd Street Garage, Nevada
 Clark County - 301 Park Place, Nevada
 Clark County - Detention Center, Nevada
 Clark County - Government Center, Nevada
 Clark County - Cambridge Center, Nevada
 Clark County - Regional Justice Center, Nevada
 Dept. of Public Works - Los Angeles County, CA
 East County Courthouse - San Diego, CA
 East County Regional Center - San Diego, CA
 Edmond Edelman Children's Court - CA
 El Dorado Courthouse - South Lake Tahoe, CA
 Federal Correctional Facility - Victorville, CA
 Federal Office Building - Los Angeles, CA
 Federal Office Building - San Diego, CA
 Fresno State Courthouse - Fresno, CA
 GSA NLA Survey Roybal & Federal Bldg. - CA
 GSA Region 9 - San Diego, CA
 GSA Roybal Federal Courthouse - Los Angeles
 GSA 230 N. 1st St. - Phoenix, AZ
 L.A. Convention Center - Los Angeles, CA
 L.A. County Multi-Facility Audit - Los Angeles, CA
 L.A. County Hall of Justice - Los Angeles, CA
 L.A. County 3rd Party Review - Los Angeles, CA
 L.A. County Metropolitan Transit Authority
 Modesto State Courthouse - Modesto, CA
 Naval Air Station North Island - Coronado, CA
 Naval Base Coronado P705 Fitness Center - CA
 Naval BEQ - Point Loma, CA
 Naval Medical Center - San Diego, CA
 Naval Weapons Facility - China Lake, CA
 Nevada Dept. of Transportation - Las Vegas, NV
 Norwalk Courthouse - Los Angeles County, CA
 Office of the State Architect - State of California
 Old Main Post Office - San Diego, CA
 Pasadena Superior Court - Pasadena, CA
 Patriotic Hall - Los Angeles County, CA
 Point Loma HQ Building 60 - San Diego, CA
 Pomona Courthouse - Los Angeles County, CA
 Port of San Diego - San Diego, CA
 Riverside Justice Center - Riverside, CA
 San Diego Port Admin. Building - San Diego, CA
 San Francisco Hall of Justice 38-B1 - SF, CA
 Stanley Mosk Courthouse - Los Angeles, CA

COMMERCIAL OFFICES

NEW CONSTRUCTION

2000 Avenue of Stars - Los Angeles, CA
 777 Tower Citicorp Plaza, II - Los Angeles, CA
 Bank of America - San Diego, CA
 450 N. Brand Blvd. - Glendale, CA
 California Endowment Headquarters - L.A., CA
 1021 E. Colorado Blvd. - Pasadena, CA
 Corporate Center - San Diego, CA
 Crown City Center - Pasadena, CA
 Crown Tower – Perth Australia
 Cypress Village – Irvine, CA
 Embarcadero Center West - San Francisco, CA
 Facebook Campus – Menlo Park, CA
 First National Bank - San Diego, CA
 Fox Studios Executive Offices - Beverly Hills, CA
 Fox Studios Lot B Office Bldg. - Beverly Hills, CA
 Fox Studios Sports Broadcasting - Beverly Hills
 Genzyme Headquarters - Cambridge, MA
 Google – Venice, CA
 550 S. Hope Street - Los Angeles, CA
 Hyundai Headquarters – Fountain Valley, CA
 JR Simplot Office Building – Boise, ID
 Marathon Plaza - San Francisco, CA
 455 Market Street - San Francisco, CA
 One Sansome Street - San Francisco, CA
 Plaza Tower 2 – Greenwood Village, CO
 Premier Automotive Group - Irvine, CA
 Project Blue Sky – Los Angeles, CA
 Qualcomm Buildings AA, L, N, W, - San Diego
 Rockefeller Bellevue – Bellevue, WA
 Sacramento Downtown Plaza – Sacramento, CA
 State Farm Marina Heights – Tempe, AZ
 Station Casinos Headquarters - Las Vegas, NV
 Sunset Bronson Studios – Hollywood, CA
 Team Disney Admin. Bldg. - Anaheim, CA
 The Aventine - La Jolla, CA
 The Crescent - Beverly Hills, CA
 Tishman Office Center - Walnut Creek, CA
 TOP SHOP Fashion Mall – San Diego, CA
 TOP SHOP – Houston, TX
 TOP SHOP – Atlanta, GA
 TOP SHOP at the Americana – Glendale, CA
 TOP SHOP Fifth Avenue – New York, NY
 Tucson City Center - Tucson, AZ
 Tyson Office Building - El Monte, CA
 Westfield Century City Tower – Century City, CA
 1000 Wilshire Blvd. - Los Angeles, CA

EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES

ARCO Towers - Los Angeles, CA
 888 6th Street - Los Angeles, CA
 The 511 Building - Portland, OR
 525 'B' Street - San Diego, CA
 530 'B' Street - San Diego, CA
 600 'B' Street - San Diego, CA
 Bayview Campus – Google – Santa Clara, CA
 Blizzard Campus – Irvine, CA
 3200 Bristol – Costa Mesa, CA
 3838 N. Central Ave. – City Square – Phoenix, AZ
 Central Plaza - Los Angeles, CA
 Century Plaza – Century City, CA
 Chevron Building - Ventura, CA
 Del Amo Financial Center - Torrance, CA
 Fashion Show Mall – Las Vegas, NV
 First Interstate Bank Building - Phoenix, AZ
 Fox Plaza – Century City, CA
 Jamboree Center - Irvine, CA
 1 & 6 Jenner – Irvine, CA
 La Jolla Palms – San Diego, CA
 3100-3120 Lake Center – Irvine, CA
 MacArthur Court - Irvine, CA
 MCI Center - Los Angeles, CA
 550 Newport Center Dr. - Newport Beach, CA
 610 Newport Center Dr. - Newport Beach, CA
 620 Newport Center Dr. - Newport Beach, CA
 Pacific Mutual Building - Los Angeles, CA
 One American Plaza – San Diego, CA
 Pac West Building - Portland, OR
 Palm Court – Irvine, CA
 Paramount Studios - Hollywood, CA
 3, 4 & 5 Park – Irvine, CA
 Redstone Plaza - Irvine, CA
 Skyview Center – Los Angeles, CA
 St. Joseph Medical Plaza - Orange, CA
 6300 Sunset Blvd. - Los Angeles, CA
 9021 Sunset Blvd. - Los Angeles, CA
 500 Sutter Street - San Francisco, CA
 Symphony Tower – San Diego, CA
 Team Disney Admin. Building - Anaheim, CA
 The Atrium - Irvine, CA
 1111 Third Avenue – Seattle, WA
 Union Bank Plaza - Los Angeles, CA
 18400 Von Karman – Irvine, CA
 18500 Von Karman – Irvine, CA
 Warner Center Tower I & III - Woodland Hills, CA
 Washington Mutual - Chatsworth, CA
 Westwood Gateway - Los Angeles, CA
 911 Wilshire Blvd. - Los Angeles, CA
 2600 Wilshire Blvd. - Los Angeles, CA

EDUCATIONAL**NEW CONSTRUCTION**

California State University System - Statewide
 University of California System – Statewide
 Cal Poly Pomona Library - Pomona, CA
 Case Western Reserve, Weatherhead School of Business - Cleveland, OH
 CSU Bakersfield – Bakersfield, CA
 CSU Dominguez Hills Loker Student Union - CA
 CSU Fullerton Housing - Fullerton, CA
 CSU San Marcos Library - San Marcos, CA
 E. Los Angeles High School #2 - Los Angeles, CA
 Eastside High School - Lancaster, CA
 L.A. Trade Tech College - Los Angeles, CA
 L.A. Unified School District - Los Angeles, CA
 Lorin Griset Elementary School - Los Angeles, CA
 USC Residences - Los Angeles, CA
 San Diego Community College District - CA
 UC Davis Health Systems Education Bldg. - Davis, CA
 UCLA Broad Art Center - Los Angeles, CA
 UC Merced Library - Merced, CA
 UC Merced Science & Engineering - Merced, CA
 UC San Diego EBU3b Science & Engineering Building - San Diego, CA
 UC San Diego Natural Sciences Building - San Diego, CA
 University of Southern California - Los Angeles
 University of Southern California International
 West L.A. College - Los Angeles, CA

EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES

Arizona State University, Tempe, AZ
 California State University System - Statewide
 University of California System - Statewide
 CSU Fullerton - Fullerton, CA
 CSULB Student Union - Long Beach, CA
 CSULB Liberal Arts 5 Building - Long Beach, CA
 CSULB SS/PA Building - Long Beach, CA
 CSU San Diego - San Diego, CA
 CSU San Marcos - San Marcos, CA
 The San Diego Community College District
 UC Riverside Olmstead Hall - Riverside, CA
 University of Alaska - Fairbanks, AK

HIGH RISE RESIDENTIAL**NEW CONSTRUCTION**

677 5th Avenue – New York, NY
 1050 B St. – San Diego
 Bakewell Brown Plaza - San Francisco, CA
 Campus Center - Irvine, CA
 Chinatown Mixed Use - Los Angeles, CA
 Daniel Burnham Court - San Francisco, CA
 Downtown Anaheim - Anaheim, CA
 Fruitvale Transit Village - Oakland, CA
 Hills Plaza Phase I - San Francisco, CA
 Hilton Grand Vacations - Las Vegas, NV
 Hilton Grand Vacations - Waikoloa, HI
 Hyatt Classic Residences - La Jolla, CA
 JUMP – Boise, ID
 Las Vegas Central - Las Vegas, NV
 Madison Towers - Las Vegas, NV
 Marriott Grand Chateau - Las Vegas, NV
 Marriott Newport Coast Villas-Newport Beach, CA
 Marriott Shadow Ridge Villas -Desert Springs, CA
 655 Montgomery Street - San Francisco, CA

EQUIPMENT EVALUATION, MODERNIZATION, ADA, CONTRACT COMPLIANCE, SERVICES

IV Seasons North - Beverly Hills, CA
 Barrington Plaza - Los Angeles, CA
 Bunker Hill Tower - Los Angeles, CA
 Century Park East - Century Park, CA
 Francisco Torres UCSB - Santa Barbara, CA
 Franklin Towers - Los Angeles, CA
 Gas Company Lofts - Los Angeles, CA
 Hollywood Plaza - Hollywood, CA
 Marina City Club - Marina Del Ray, CA
 Mission Bay Club - San Diego, CA
 Molina Street Lofts - Los Angeles, CA
 Park Plaza - Los Angeles, CA
 Polo Towers – Las Vegas, NV
 The Scripps Home - Pasadena, CA
 Sea Cliff Shores - Santa Monica, CA
 Sunrise Assisted Living - Laguna Hills, CA
 Westwood Club - Westwood, CA

Pacific Renaissance Plaza - Oakland, CA
 Panorama Towers 1-3 - Las Vegas, NV
 Park Hill - San Francisco, CA
 The Park Lofts - San Diego, CA
 Park Terrace - San Diego, CA
 Park Wilshire - Los Angeles, CA
 464 Prospect - La Jolla, CA
 Renaissance Center - San Diego, CA
 The Residences at MGM – Las Vegas, NV
 Ritz-Carlton Bachelor Gulch Time Share- Vail, CO
 Sky - Las Vegas, NV
 St. Francis Place - San Francisco, CA
 The Mark – San Diego, CA
 Turnberry Place - Las Vegas, NV
 Turnberry Towers – Las Vegas, NV
 Westgate Condominiums - Los Angeles, CA

INTERNATIONAL

NEW CONSTRUCTION

American Institute – Taipei, Taiwan
 Crescent Bay Plaza – Karachi, Pakistan
 Crown Tower – Perth Australia
 Dragon Hill Lodge – Seoul, Korea
 Dubai International Financial Center – Dubai, United Arab Emirates
 Four Seasons Resort – Sharm El-Sheikh, Egypt
 Guggenheim Museum – Bilbao, Spain
 Marassi Residential Marina – El Alamein, Egypt
 Mont Parnes – Athens, Greece
 Qatar Education City – Doha, Qatar
 SAGMC – Saudi Arabia
 Uptown Cairo Mixed-Use Project – Cairo, Egypt
 Wynn Cotai Resort – Macau, China

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



Bellagio Resort Hotel & Casino • Las Vegas, Nevada
 37 Story - 3,015 Rooms & 8-Level Parking Garage
 48 Traction Elevators • 23 Hydraulic Elevators • 16 Escalators • 4 Moving Walks
 Architects: Marnell Corrao Associates • DeRuyter O. Butler Architect
 Service Type: New Facility Design



Denver International Airport • Denver, Colorado
 Six Level Main Terminal Building - Approximately 1,350,000 GSF
 Four Level Parking Structure - Approximately 3,100,000 GSF
 Office Building - Approximately 175,000 GSF
 43 Traction Elevators • 10 Hydraulic Elevators • 36 Escalators • 4 Moving Walks
 Architect: Fentress Bradburn Architects Ltd. Service Type: New Facility Design

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Guggenheim Museum • Bilbao, Spain

7 Passenger Traction Elevators • 1 Passenger Hydraulic Elevator
1 Service Traction Elevator • 1 Service Hydraulic Elevator

Architect: Frank O. Gehry & Associates
Service Type: New Facility Design



Paris Hotel/Casino & Eiffel Tower • Las Vegas, Nevada

34 Story - 2,900 Rooms • 43 Traction Elevators • 11 Hydraulic Elevators • 8 Escalators
4 Unique Exterior Observation Elevators at Eiffel Tower

Architects: Bergman Walls & Associates • Leidenfrost Horowitz & Assoc. • MBH Architects
Service Type: New Facility Design

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Rio Suites Hotel/Casino • Las Vegas, Nevada
20 & 40 Story - 2,600 Rooms & 2 Parking Garages
29 Traction Elevators • 16 Hydraulic Elevators • 4 Escalators
Architect: Marnell Corrao Associates
Service Type: New Facility Design



New York, New York Hotel/Casino • Las Vegas, Nevada
46 Story - 2,000 Rooms & 10-Level Parking Garage
32 Traction Elevators • 15 Hydraulic Elevators • 6 Escalators
Architects: Marnell Corrao Associates • Primadonna Resorts, Inc.
Service Type: New Facility Design

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777 Tower, Citicorp Plaza • Los Angeles, CA

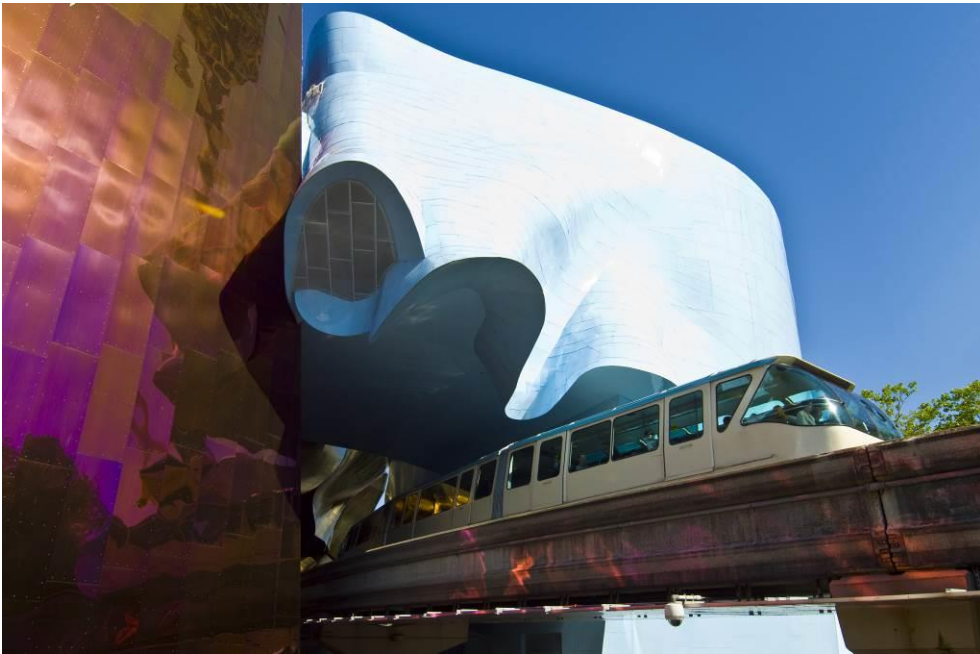
52 Story - 1,100,000 GSF
23 Passenger Traction Elevators • 2 Service Traction Elevators • 2 Parking Shuttle Elevators
2 Escalators • 1 Hydraulic Shuttle Elevator • 4 Garage Traction Elevators
Architect: Langdon Wilson Architects • Cesar Pelli & Associates
Service Type: New Facility Design



Crown Tower • Perth, Australia

12 Traction Elevators • 10 Machine-Room-Less Elevators • 1 Hydraulic Elevator
Architect: YWS Design & Architecture
Service Type: New Facility Design

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Experience Music Project • Seattle, WA
7 Elevators
Architect: Frank O. Gehry & Associates
Service Type: New Facility Design



The Getty Center • Los Angeles, CA
7 Buildings, 2 Parking Structures, Approximately 1,600,000 GSF
21 Traction Elevators • 12 Hydraulic Elevators
Architect: Richard Meier & Partners
Service Type: New Facility Design

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



Ritz-Carlton - Bachelor Gulch • Vail, CO

12 Story - 240 Rooms + 23 Condominiums
4 Passenger Traction Elevators • 2 Passenger Hydraulic Elevators
2 Service Traction Elevators
Architects: Hill Glazier Architects
Service Type: New Facility Design



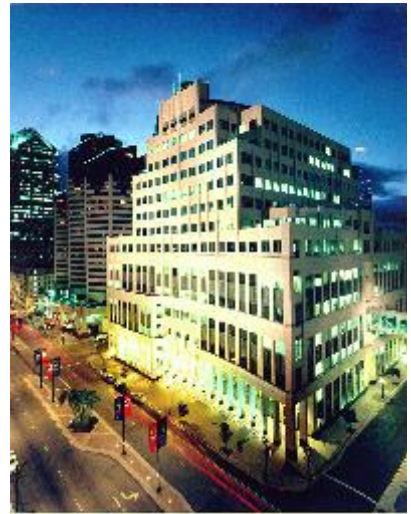
Hyatt Regency, Lake Las Vegas • Henderson, NV

10 Story - 550+ Rooms • 4 Passenger Traction Elevators • 3 Service Traction Elevators
2 Back of House Service Hydraulic Elevators • 1 Wheelchair Lift
Architects: Hill Glazier Architects
Service Type: New Facility Design

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Wynn Las Vegas



San Diego Justice Center
San Diego, CA



Tucson City Center Tucson,
AZ



Hotel Nikko
San Francisco, CA



Corporate Center
San Diego, CA

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*Newport Center
Newport Beach, CA*



*Coast Savings
Los Angeles, CA*



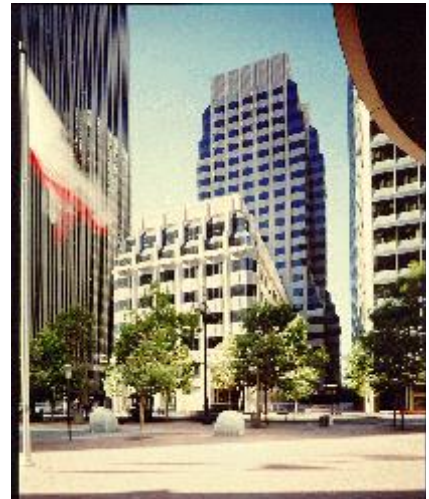
*Seattle Central Library
Seattle, Washington*



*Sam's Town
Las Vegas, Nevada*



*One Sansome Street
San Francisco, CA*



*455 Market Street
San Francisco, CA*

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*Polo Towers
Las Vegas, NV*



*Century Plaza Towers
Los Angeles, CA*



*Fox Plaza
Century City, CA*



*Fashion Show Mall
Las Vegas, NV*

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*Getty Villa
Pacific Palisades, CA*



*Caesar's Palace
Las Vegas, NV*



*One American Plaza
San Diego, CA*



*1111 Third Avenue
Seattle, WA*

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



*Symphony Tower
San Diego, CA*

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS



City of Moreno Valley
Request for Scope and Not to Exceed Fee
Professional Design Services for the Elevator Modernization
At the Moreno Valley City Hall
 December 6, 2022



4. WORK PLAN

Describe the approach to be taken in addressing the proposed scope of work. This description should include delineation of specific tasks to be undertaken in each project activity. Include a project schedule showing start and completion dates for specific tasks, including milestone dates and processing time for review by the City.

Marks Architects, Inc. and our subconsultants propose to provide the following basic services and task activities:

A. Survey Report Phase:

1. Make a detailed survey of the elevator involved to determine what systems are installed, the equipment condition, performance and reusability.
2. Provide a report including budget costs for various degrees of rehabilitation concentrating on the reuse of existing equipment, where possible, to provide the most cost-effective solution to suit the project's needs.
3. Provide review of ADA compliance.
4. Attend one meeting to discuss the report and options.

B. Modernization Document Phase:

1. Based on the Survey conclusions, and priorities and budget developed in conjunction with the City, establish the design and detail of the elevator, entrances and operating fixtures, all considerations of the life safety program, security and other details, which will be covered in the construction documents.
2. Provide Modernization performance-type bidding construction documents suitable for obtaining bids from qualified companies and prepared to a document format acceptable to the City. The construction documents will incorporate all features outlined in the RFP and will include the highest applicable standards of operating and dispatching. Possible economies by use of pre-engineered units will be considered, if applicable.

C. Bidding Phase

1. Conduct pre-bid conference and job walk through with contractors to familiarize them with existing conditions and documents.
2. Assist with any questions that may arise during the bidding process pertaining to the contract documents.
3. Assist in preparation of bulletin or addendum documents.
4. Analyze the elevator bids and provide a written report and recommendation of contract award.



City of Moreno Valley
Request for Scope and Not to Exceed Fee
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D. Modernization Construction Phase Services:

- 1. Review elevator contractor's submittals such as shop drawings, product data and other submissions for the purpose of checking for conformance with the design concept expressed in the contract documents. Comments for appropriate action will be made and then returned to the City for final action.
2. Make one site visit to become generally familiar with the progress and quality of the work completed to date. Determine, in general, if the work is being performed in a manner indicating that the work, when completed, will be in accordance with the contract documents.
3. Will participate in modernization conference calls and virtual meetings as needed.
4. Make a final site visit upon completion to check performance standards and conduct tests to determine if the vertical transportation equipment complies with the contract performance requirements. Reports and itemized punch-lists will be provided after each visit.

Schedule

A specific schedule for the entire project is challenged by the time it takes the City to execute a professional services agreement; the time it takes for plan review and approval; the time it takes for contractor selection and construction contract execution; and supply chain schedules for needed elevator components.

However, we propose the following design and documentation schedule based on our services provided from the date of contract execution:

Table with 2 columns: Task and Duration. Tasks include Project Kick-off Virtual Meeting (2 weeks), Existing Conditions Survey (4 weeks), Rough Order of Magnitude Cost Estimate (2 weeks), Virtual Meeting to discuss Survey conclusions (1 week), 35% Document Completion Submittal (3 weeks), Cost Estimate (3 weeks), City Review and Comments (2 weeks*), 90% Document Completion Submittal (5 weeks), Final Cost Estimate (4 weeks), City Review and Comments (3 weeks*), 100% Document Completion Submittal (3 weeks), and Total Design and Document Phase Schedule (27 weeks).

*Overlaps time for cost estimate development.

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City of Moreno Valley
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At the Moreno Valley City Hall
December 6, 2022



5. FEE SCHEDULE

The consultant is requested to provide a "Not to exceed" cost (inclusive of all professional fees and expenses) for the entire project as outlined in the Work Plan. Include the hourly rate charges for each team member who may be involved in the project.

Marks Architects, Inc. is proud of the value and quality our team provides to the project and anticipates appropriate compensation for our expertise.

Our proposed All-Inclusive, Not-to-Exceed fee is\$152,200.00

Hourly Rates:

Marks Architects, Inc.

Table listing hourly rates for Marks Architects, Inc. roles: Principal Architect (\$300), Sr. Project Manager (\$250), Project Manager (\$200), Production Technician (\$150).

HKA Elevator Consultants, Inc.

Table listing hourly rates for HKA Elevator Consultants, Inc. roles: Principal (\$360), Consultant (\$330), Drafting (\$200), QEI Inspector (\$275).

IMEG Corp

(See attached hourly rates sheet)

Iskander Associates, Inc.

Table listing hourly rates for Iskander Associates, Inc. roles: Principal (\$250), Sr. Estimator (\$225), Estimator (\$175), Technical Support (\$125).

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS

HOURLY RATES

IMEG STANDARD HOURLY RATES*	
ROLE	RATE PER HOUR
Client Executive/Market Director	\$265
Project Executive	\$250
Senior Engineer Technical Specialist	\$230
Senior Engineer III	\$215
Senior Engineer II	\$190
Senior Engineer	\$170
Project Engineer II	\$155
Project Engineer	\$145
Engineer	\$135
Senior Designer Technical Specialist	\$195
Senior Designer III	\$180
Senior Designer II	\$165
Senior Designer	\$150
Project Designer II	\$145
Project Designer	\$130
Designer IV	\$120
Designer III	\$115
Designer II	\$110
Designer	\$105
Senior Virtual Design Coordinator	\$125
Virtual Design Coordinator	\$115
Virtual Design Technician	\$95
Administrative Assistant	\$85
Senior Construction Administrator	\$175
Construction Administrator	\$145
Senior Commissioning Authority/Engineer	\$190
Project Commissioning Authority/Engineer	\$155
Commissioning Authority/Engineer	\$120
Senior Medical Equipment Planner	\$195
Medical Equipment Planner	\$150
Medical Equipment Project Coordinator	\$100

*Adjusted annually. These rates are for staff located in the office providing the rates. Staff based in one of IMEG's other offices may have different billing rates. These rates can be provided upon request.

Reimbursable Expenses:

- Invoiced with a 1.1 multiplier of actual cost, including:
- CAD plots, reproductions and delivery costs of drawings, specifications, and duplicate reports beyond one set provided at each normal stage of review
- Reproduction of drawings on Mylar media
- Plan review fees or imposed government agency fees
- Premium delivery charges
- Meals and lodging when required to travel overnight
- State filing and/or permit fees related to energy life-cycle costs
- Travel expense: Automobile mileage will be invoiced at the IRS rate in effect at the time of travel. Travel expenses also include tolls, parking fees, taxi, train, airfare, rental cars (CD only), and other out of pocket expenses.

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS

EXHIBIT CCITY - SERVICES TO BE PROVIDED
TO CONSULTANT

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT D

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed \$152,200.00.
2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml
3. The Consultant will electronically submit an invoice to the City along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at Facilitiesap@moval.org
Accounts Payable questions can be directed to (951) 413-3740.
4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf
5. The minimum information required on all invoices is:

- A. Vendor Name, Mailing Address, and Phone Number
 - B. Invoice Date
 - C. Vendor Invoice Number
 - D. City-provided Reference Number (e.g. Project, Activity)
 - E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.
6. The City shall pay the Consultant for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

EXHIBIT E

INSURANCE REQUIREMENTS

Minimum Scope of Insurance

Coverage shall be at least as broad as:

- 1. The most current version of Insurance Services Office (ISO) Commercial General Liability Coverage Form CG 00 01, which shall include insurance for “bodily injury,” “property damage” and “personal and advertising injury” with coverage for premises and operations, products and completed operations, and contractual liability.
- 2. The most current version of Insurance Service Office (ISO) Business Auto Coverage Form CA 00 01, which shall include coverage for all owned, hired, and non-owned automobiles or other licensed vehicles (Code 1- Any Auto).
- 3. Workers’ Compensation insurance as required by the California Labor Code and Employer’s Liability Insurance.
- 4. Professional Liability (Errors and Omissions) insurance appropriate to Consultant’s profession.

Minimum Limits of Insurance

Consultant shall maintain limits of liability of not less than:

- 1. General Liability:
 - \$1,000,000 per occurrence for bodily injury and property damage
 - \$1,000,000 per occurrence for personal and advertising injury
 - \$2,000,000 aggregate for products and completed operations
 - \$2,000,000 general aggregate
- 2. Automobile Liability:
 - \$1,000,000 per accident for bodily injury and property damage
- 3. Employer’s Liability:
 - \$1,000,000 each accident for bodily injury
 - \$1,000,000 disease each employee
 - \$1,000,000 disease policy limit

Attachment: 803 0059 Agreement for Consultant Services - Marks Architects, Inc. (6120 : APPROVE THE AGREEMENT WITH MARKS

4. Professional Liability (Errors and Omissions):

\$1,000,000 per claim/occurrence
\$2,000,000 policy aggregate

Umbrella or Excess Insurance

In the event Consultant purchases an Umbrella or Excess insurance policy(ies) to meet the "Minimum Limits of Insurance," this insurance policy(ies) shall "follow form" and afford no less coverage than the primary insurance policy(ies).

Deductibles and Self-Insured Retentions

Consultant shall be responsible for payment of any deductibles contained in any insurance policy(ies) required hereunder and Consultant shall also be responsible for payment of any self-insured retentions. Any deductibles or self-insured retentions must be declared to, and approved by, the City Manager or his/her designee. At the option of the City Manager or his/her designee, either (i) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers; or (ii) Consultant shall provide a financial guarantee, satisfactory to the City Manager or his/her designee, guaranteeing payment of losses and related investigations, claim administration and defense expenses. At no time shall City be responsible for the payment of any deductibles or self-insured retentions.

Other Insurance Provisions

The General Liability and Automobile Liability insurance policies are to contain, or be endorsed to contain, the following provisions:

1. City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers are to be covered as additional insureds.
2. The coverage shall contain no special limitations on the scope of protection afforded to City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers.
3. Consultant's insurance coverage shall be primary and no contribution shall be required of City.

The Workers' Compensation insurance policy is to contain, or be endorsed to contain, the following provision: Consultant and its insurer shall waive any right of subrogation against City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers.

If the Professional Liability (Errors and Omissions) insurance policy is written on a claims-made form:

1. The retroactive date must be shown, and must be before the effective date of the Agreement or the commencement of work by Consultant.
2. Insurance must be maintained and evidence of insurance must be provided for at least 3 years after any expiration or termination of the Agreement or, in the alternative, the policy shall be endorsed to provide not less than a 3-year discovery period.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the effective date of the Agreement or the commencement of work by Consultant, Consultant must purchase extended reporting coverage for a minimum of 3 years following the expiration or termination of the Agreement.
4. A copy of the claims reporting requirements must be submitted to City for review.
5. These requirements shall survive expiration or termination of the Agreement.

All policies of insurance required hereunder shall be endorsed to provide that the coverage shall not be cancelled, non-renewed, reduced in coverage or in limits except after 30 calendar day written notice by certified mail, return receipt requested, has been given to City. Upon issuance by the insurer, broker, or agent of a notice of cancellation, non-renewal, or reduction in coverage or in limits, Consultant shall furnish City with a new certificate and applicable endorsements for such policy(ies). In the event any policy is due to expire during the work to be performed for City, Consultant shall provide a new certificate, and applicable endorsements, evidencing renewal of such policy not less than 15 calendar days prior to the expiration date of the expiring policy.

Acceptability of Insurers

All policies of insurance required hereunder shall be placed with an insurance company(ies) admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-VII" in Best's Insurance Rating Guide; or authorized by the City Manager or his/her designee.

Verification of Coverage

Consultant shall furnish City with all certificate(s) and **applicable endorsements** effecting coverage required hereunder. All certificates and **applicable endorsements** are to be received and approved by the City Manager or his/her designee prior to City's execution of the Agreement and before work commences.



Report to City Council

TO: Mayor and City Council

FROM: Kenneth Reichle, Chief of Police

AGENDA DATE: February 21, 2023

TITLE: APPROVE AN INCREASE TO BMW MOTORCYCLES OF RIVERSIDE ANNUAL PURCHASE ORDER FOR FY 2022-23

RECOMMENDED ACTION

Recommendation:

1. Authorize a change order to increase Blanket Purchase Order #2023-274 to BMW Motorcycles of Riverside from \$50,000 to \$ 85,000 for FY 2022-23 year-end expenses.

SUMMARY

This report is recommending an approval to increase Purchase Order #2023-274, for BMW Motorcycles of Riverside from \$50,000 to \$85,000. This vendor provides routine maintenance and repairs to the fleet of motorcycles operated by the Traffic Division in the Moreno Valley Police Department. This vendor also provides repairs to the motorcycles when unforeseen damages occur.

DISCUSSION

The Moreno Valley Police Department creates an annual blanket purchase order to cover costs for maintenance and repairs needed to properly maintain the fleet of motorcycles operated by the Traffic Division. When this purchase order was initially created, the three-year average for repair costs was approximately \$47,000.

Considering the approval to purchase three (3) new BMW motorcycles in May 2022 for the three (3) additional motor deputies, it was anticipated that we

would have received the motorcycles within the first quarter of the FY 2022-23. However, due to supply chain issues, the City has only received one (1) of three (3) of the BMW motorcycles as of February 5, 2023. Staff also ordered three (3) Honda Africa Twin police motorcycles as part of the City Council approved replacement program. Honda is also experiencing a delay.

This unexpected lag in receipt of the new motorcycles has kept older, spare motorcycles in regular patrol and training use. The spare motorcycles have excessive mileage, requiring additional maintenance. When all six (6) motorcycles are in use, maintenance and repair costs will decrease.

The current Purchase Order has also been strained by necessary damage repair. Two motorcycles sustained damage while in use this fiscal year, which required repairs above regular wear (Asset #400362 and #400380). Two other spare motorcycles required repairs to elevate their condition to meet the standard required by LAPD's basic motorcycle academy. The LAPD academy is attended by new motor deputies for training and testing to qualify as a motor deputy.

ALTERNATIVES

1. Approve the increase to Purchase Order #2023-274 to \$85,000 to cover estimated costs associated with maintenance and repairs to the motorcycle fleet. Staff recommends this alternative.
2. Do not approve the increase to Purchase Order #2023-274 to \$85,000 to cover estimated costs associated with maintenance and repairs to the motorcycle fleet. Staff does not recommend this alternative.

FISCAL IMPACT

The Moreno Valley Police Department will be absorbing these costs into the FY 2022-23 budget allocations.

PREPARATION OF STAFF REPORT

Prepared By:
Chad Craig
Sergeant - Traffic Division

Department Head Approval:
Ken Reichle
Chief of Police

Concurred By:
Howard Hibbler
Lieutenant

Shanna Palau
Sr. Contracts Analyst

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

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 7:55 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:27 AM



Report to City Council

TO: Mayor and City Council

FROM: Melissa Walker, Public Work Director/City Engineer

AGENDA DATE: February 21, 2023

TITLE: PA03-0086 (TRACT 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE INTEREST IN STORM DRAIN EASEMENTS TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT. DEVELOPER - KB HOME CALIFORNIA, LLC

RECOMMENDED ACTION

Recommendations:

1. Authorize the City Manager to execute the Quitclaim Deeds transferring all of the City's rights, title, and interest in and to the storm drain easements recorded on Tract 31592, recorded in Map Book 461, Pages 57 through 80 inclusive, in the Official Records of Riverside County, California and by separate instrument DOC#2018-0326762, to the Riverside County Flood Control and Water Conservation District (RCFC&WCD).
2. Direct the City Clerk to forward the signed Quitclaim Deeds to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

SUMMARY

This report recommends the execution of quitclaim deeds of storm drain easements within Tract 31592 for future operation, maintenance, repair, and improvement of their storm drain facilities known as Sunnymead Master Drainage Plan (MDP) Vista Lane Storm Drain, Stage 1. The quitclaim deeds will transfer the City's right, title, and interest in the storm drain easements to RCFC&WCD.

DISCUSSION

As a condition of approval for Tract 31592, located at the end of Covey Road east of Perris Boulevard (Attachment 1), the project developer was required to construct storm drain improvements. On September 6, 2017, a Cooperative Agreement between RCFC&WCD, the City of Moreno Valley, and KB Home California LLC was recorded for Tract 31592. Per the Cooperative Agreement, RCFC&WCD is to maintain the storm drain within the storm drain easement area within Tract 31592 and the detention basin designated as Lot D on Tract 31592. The storm drain easements were dedicated to the City on the recorded map and by separate instruments. Construction of the project has been completed and RCFC&WCD is ready to take over maintenance of the storm drain facility.

The City has received a request from the RCFC&WCD to quitclaim the referenced storm drain easement and detention basin within Tract 31592, in accordance with the Cooperative Agreement (Attachment 2). The quitclaim deeds (Attachment 3) transfers the City's title interest in the storm drain easements for Sunnymead MDP Vista Lane Storm Drain, Stage 1 to RCFC&WCD in order to allow the RCFC&WCD to operate and maintain the drainage facilities located within said storm drain easements.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this alternative as this alternative will allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*
2. Do not approve and do not authorize the recommended actions as presented in this staff report. *Staff does not recommend this alternative as this alternative would not allow for proper maintenance of the storm drain facilities by the RCFC&WCD.*

FISCAL IMPACT

No fiscal impact is anticipated.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

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

Department Head Approval:
Melissa Walker
Public Works Director/City Engineer

CITY COUNCIL GOALS

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

CITY COUNCIL STRATEGIC PRIORITIES

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

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”



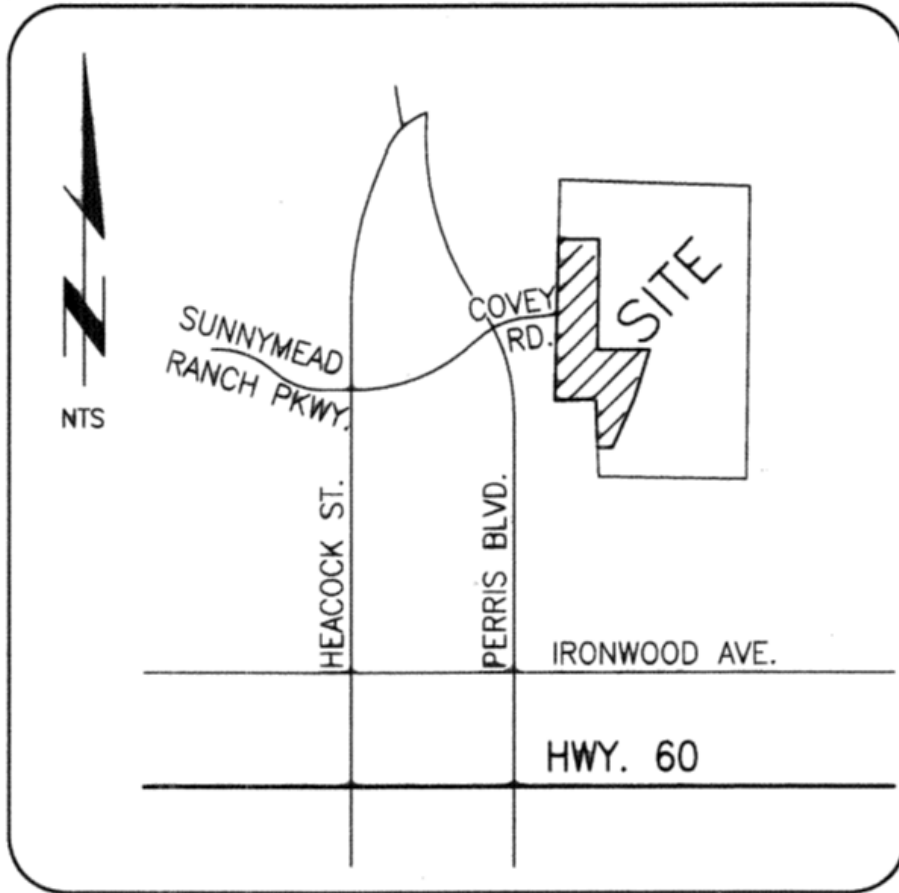
on the left hand side of this document for the necessary attachment.

- 1. Attachment 1 - Vicinity Map
- 2. Attachment 2 - Cooperative Agreement TM 31592
- 3. Attachment 3 - Quitclaim Deeds

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:48 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:51 AM

VICINITY MAP



CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT

PA03-0086
(TM 31592)
Project Site

Attachment: Attachment 1 - Vicinity Map (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

FREE RECORDING

This instrument is for the benefit of the Riverside County Flood Control and Water Conservation District and should Be recorded without a fee pursuant to Govt. Code 6103.

AND WHEN RECORDED MAIL TO:

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
1995 MARKET STREET
RIVERSIDE, CA 92501-1770

2017-0370070

09/06/2017 01:57 PM Fee: \$ 0.00

Page 1 of 33

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



9					R	A	Exam: 110			
Page	DA	PCOR	Misc	Long	RFD	1st Pg	Adt Pg	Cert	CC	
33										
SIZE	NCOR	SMF	NCHGT:			NCALCW				

THIS SPACE FOR RECORDER'S USE ONLY

Handwritten mark

COOPERATIVE AGREEMENT

Title of Document

PROJECT: Sunnymead – Vista Lane Storm Drain, Stage 1

PROJECT NOS.: 4-0-00364

DEVELOPER: KB Home California LLC

SUBDIVISION: Tract No. 31592

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION (\$3.00 Additional Recording Fee Applies)

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

COOPERATIVE AGREEMENT
Sunnymead - Vista Lane Storm Drain, Stage 1
Project No. 4-0-00364
(Tract No. 31592)

The Riverside County Flood Control and Water Conservation District ("DISTRICT"), the City of Moreno Valley ("CITY") and KB Home California LLC, a Delaware limited liability company ("DEVELOPER"), hereby agree as follows:

RECITALS

A. DEVELOPER is the legal owner of record of certain real property located within the County of Riverside. DEVELOPER has submitted for approval Tract No. 31592 located in the city of Moreno Valley. As a condition of approval, DEVELOPER must construct certain flood control facilities in order to provide flood protection and drainage for DEVELOPER'S planned development; and

B. The legal description of Tract No. 31592 is provided in Exhibit "A" attached hereto and made a part hereof; and

C. The required flood control facilities, all as shown on District Drawing No. 4-1107, include construction of a segment consisting of approximately 1,390 lineal feet of a reinforced concrete pipe, debris basin and outlet structure ("DISTRICT DRAINAGE FACILITY"), as shown in concept in blue on Exhibit "B" attached hereto and made a part hereof; and

D. Associated with the construction of DISTRICT DRAINAGE FACILITY is the construction of (i) a multi-use trail for public recreation purposes ("TRAIL"), and (ii) certain catch basins, inlets, connector pipes, retaining wall and various lateral storm drains that are thirty-six inches (36") or less in diameter that are located within CITY held easements or rights of way ("APPURTENANCES"). Together, TRAIL and APPURTENANCES are hereinafter called "CITY FACILITIES"; and

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E. Also associated with the construction of DISTRICT DRAINAGE FACILITY is the construction of water quality basins, fuel modification zone and concrete gutter located within DEVELOPER held rights of way or easements ("DEVELOPER FACILITIES). DEVELOPER FACILITIES are to be initially owned and maintained by DEVELOPER and subsequently owned and maintained by the Homeowners' Association for Tract No. 31592; and

F. Together, DISTRICT DRAINAGE FACILITY, CITY FACILITIES and DEVELOPER FACILITIES are hereinafter called "PROJECT"; and

G. CITY and DEVELOPER desire DISTRICT to accept ownership and responsibility for the operation and maintenance of DISTRICT DRAINAGE FACILITY. Therefore, DISTRICT must review and approve DEVELOPER'S plans and specifications for DISTRICT DRAINAGE FACILITY and subsequently inspect the construction of DISTRICT DRAINAGE FACILITY; and

H. DISTRICT and DEVELOPER desire CITY to accept ownership and responsibility for the operation and maintenance of CITY FACILITIES. Therefore, CITY must review and approve DEVELOPER'S plans and specifications for PROJECT and subsequently inspect the construction of PROJECT; and

I. DISTRICT is willing to (i) review and approve DEVELOPER'S plans and specifications for DISTRICT DRAINAGE FACILITY, (ii) inspect the construction of DISTRICT DRAINAGE FACILITY and (iii) accept ownership and responsibility for the operation and maintenance of DISTRICT DRAINAGE FACILITY, provided that DEVELOPER (i) complies with this Agreement, (ii) constructs PROJECT in accordance with DISTRICT and CITY approved plans and specifications, (iii) obtains and conveys to DISTRICT and the necessary rights of way for the inspection, operation and maintenance of DISTRICT DRAINAGE FACILITY and (iv) accepts ownership and responsibility for the operation and maintenance of PROJECT following completion of PROJECT construction until such time as

1 DISTRICT accepts ownership and responsibility for the operation and maintenance of
2 DISTRICT DRAINAGE FACILITY; and

3 J. CITY is willing to (i) review and approve PROJECT plans and
4 specifications, (ii) inspect the construction of PROJECT, (iii) accept and hold faithful
5 performance and payment bonds submitted by DEVELOPER for DISTRICT DRAINAGE
6 FACILITY, (iv) grant DISTRICT the right to inspect, operate and maintain portions of
7 DISTRICT DRAINAGE FACILITY located within CITY rights of way and (v) accept
8 ownership and responsibility for the operation and maintenance of CITY FACILITIES, provided
9 PROJECT is constructed in accordance with plans and specifications approved by DISTRICT
10 and CITY.
11

12 NOW, THEREFORE, the parties hereto mutually agree as follows:

13 SECTION I

14 DEVELOPER shall:

15 1. Prepare PROJECT plans and specifications, hereinafter called
16 "IMPROVEMENT PLANS", including separate plans and specifications for DISTRICT
17 DRAINAGE FACILITY, in accordance with applicable DISTRICT and CITY standards, and
18 submit to DISTRICT and CITY for their respective review and approval.
19

20 2. Continue to pay DISTRICT, within thirty (30) days after receipt of periodic
21 billings from DISTRICT, any and all such amounts as are deemed reasonably necessary by
22 DISTRICT to cover DISTRICT'S costs associated with the review of IMPROVEMENT PLANS,
23 review and approval of right of way and conveyance documents and with the processing and
24 administration of this Agreement. Additionally, DEVELOPER shall deposit with CITY any and
25 all such amounts as are deemed reasonably necessary by CITY to cover CITY'S costs associated
26 with the review of IMPROVEMENT PLANS, the review and approval of all right of way and
27 conveyance documents and with the processing and administration of this Agreement.
28

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

1 3. Deposit with DISTRICT (Attention: Business Office - Accounts
 2 Receivable), at the time of providing written notice to DISTRICT of the start of PROJECT
 3 construction as set forth in Section I.8. herein, the estimated cost of providing construction
 4 inspection for DISTRICT DRAINAGE FACILITY in an amount as determined and approved by
 5 DISTRICT in accordance with Ordinance Nos. 671 and 749 of the County of Riverside, including
 6 any amendments thereto, based upon the bonded value of DISTRICT DRAINAGE FACILITY.
 7
 8 Additionally, deposit with CITY (Attention: Public Works/Land Development), at the time of
 9 providing written notice to DISTRICT of the start of PROJECT construction as set forth in
 10 Section I.8., the estimated cost of providing construction inspection in an amount as determined
 11 and approved by CITY in accordance with the most recent City Code and Fee Resolution of
 12 CITY, including any amendments thereto.

13
 14 4. Grant DISTRICT and CITY, by execution of this Cooperative Agreement,
 15 the right to enter upon DEVELOPER'S property where necessary and convenient for the purpose
 16 of gaining access to and performing inspection service for the construction of PROJECT as set
 17 forth herein.

18 5. Secure, at its sole cost and expense, all necessary licenses, agreements,
 19 permits, approvals, rights of way, rights of entry and temporary construction easements as may
 20 be needed for the construction, inspection, operation and maintenance of PROJECT.
 21 DEVELOPER shall furnish DISTRICT, at the time of providing written notice to DISTRICT of
 22 the start of construction as set forth in Section I.8. or not less than twenty (20) days prior to
 23 recordation of the final map for Tract No. 31592 or any phase thereof, whichever occurs first,
 24 with sufficient evidence of DEVELOPER having secured such necessary licenses, agreements,
 25 permits, approvals, rights of way, rights of entry and temporary construction easements as
 26 determined and approved by DISTRICT and CITY.
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1 6. Prior to commencing construction, furnish DISTRICT and CITY with
2 copies of all permits, approvals or agreements required by any federal, state or local resource
3 and/or regulatory agency for the construction, operation and maintenance of PROJECT. Such
4 documents include but are not limited to those issued by the U.S. Army Corps of Engineers,
5 California Regional Water Quality Control Board, California State Department of Fish and
6 Wildlife, State Water Resources Control Board and Western Riverside County Regional
7 Conservation Authority.

9 7. Provide CITY, at the time of providing written notice to DISTRICT of the
10 start of construction as set forth in Section I.8. or not less than twenty (20) days prior to
11 recordation of the final map for Tract No. 31592 or any phase thereof, whichever occurs first,
12 with faithful performance and payment bonds, each in the amount of one hundred percent (100%)
13 of the estimated cost for construction of DISTRICT DRAINAGE FACILITY as determined by
14 DISTRICT. The surety, amount and form of the bonds shall be subject to the approval of
15 DISTRICT and CITY. The bonds shall remain in full force and effect until DISTRICT
16 DRAINAGE FACILITY are accepted by DISTRICT and CITY as complete; at which time the
17 bond amount may be reduced to five percent (5%) for a period of one (1) year to guarantee against
18 any defective work, labor or materials.

21 8. Notify DISTRICT in writing (Attention: Administrative Services Section)
22 at least twenty (20) days prior to the start of construction of PROJECT. Construction shall not
23 begin on any element of PROJECT, for any reason whatsoever, until DISTRICT has issued to
24 DEVELOPER a written Notice to Proceed authorizing DEVELOPER to commence construction
25 of PROJECT.

26 9. Obtain and provide DISTRICT (Attention: Right of Way Acquisition
27 Section), at the time of providing written notice to DISTRICT of the start of construction as set
28 forth in Section I.8. or not less than twenty (20) days prior to the recordation of the final map for

1 Tract No. 31592 or any phase thereof, whichever occurs first, with duly executed Irrevocable
 2 Offer(s) of Dedication to the public for flood control and drainage purposes, including ingress
 3 and egress, for the rights of way deemed necessary by DISTRICT for the construction,
 4 inspection, operation and maintenance of DISTRICT DRAINAGE FACILITY, as shown in
 5 concept in blue on Exhibit "B" attached hereto and made a part hereof. The Irrevocable Offer(s)
 6 of Dedication shall be in a form approved by DISTRICT and shall be executed by all legal and
 7 equitable owners of the property described in the offer(s).
 8

9 10. Furnish DISTRICT, when submitting the Irrevocable Offer(s) of Dedication
 10 as set forth in Section I.9., with Preliminary Reports on Title dated not more than thirty (30) days
 11 prior to date of submission of all the property described in the Irrevocable Offer(s) of Dedication.
 12

13 11. Furnish DISTRICT, at the time of providing written notice to DISTRICT of
 14 the start of construction as set forth in Section I.8., with a complete list of all contractors and
 15 subcontractors to be performing work on DISTRICT DRAINAGE FACILITY, including the
 16 corresponding license number and license classification of each. At such time, DEVELOPER
 17 shall further identify in writing its designated superintendent for PROJECT construction.
 18

19 12. Furnish DISTRICT, at the time of providing written notice to DISTRICT of
 20 the start of construction as set forth in Section I.8., a construction schedule which shall show the
 21 order and dates in which DEVELOPER or DEVELOPER'S contractor proposes to carry out the
 22 various parts of work, including estimated start and completion dates. As construction of
 23 PROJECT progress, DEVELOPER shall update said construction schedule as requested by
 24 DISTRICT.
 25

26 13. Furnish DISTRICT with final mylar PROJECT plans and assign their
 27 ownership to DISTRICT prior to the start on any portion of PROJECT construction.
 28

1 14. Not permit any change to or modification of DISTRICT and CITY approved
2 IMPROVEMENT PLANS without the prior written permission and consent of DISTRICT and
3 CITY.

4 15. Comply with all Cal/OSHA safety regulations including regulations
5 concerning confined space and maintain a safe working environment for DEVELOPER,
6 DISTRICT and CITY employees on the site.

7 16. Furnish DISTRICT, at the time of providing written notice to DISTRICT of
8 the start of construction as set forth in Section I.8., a confined space entry procedure specific to
9 DISTRICT DRAINAGE FACILITY. The procedure shall comply with requirements contained
10 in California Code of Regulations, Title 8 Section 5158, Other Confined Space Operations,
11 Section 5157, Permit Required Confined Space and District Confined Space Procedures, SOM-

12 18. The procedure shall be reviewed and approved by DISTRICT prior to the issuance of a
13 Notice to Proceed.

14 17. DEVELOPER shall not commence operations until DISTRICT and CITY
15 have been furnished with original certificate(s) of insurance and original certified copies of
16 endorsements and if requested, certified original policies of insurance including all endorsements
17 and any and all other attachments as required in this Section. Without limiting or diminishing
18 DEVELOPER'S obligation to indemnify or hold DISTRICT or CITY harmless, DEVELOPER
19 shall procure and maintain or cause to be maintained, at its sole cost and expense, the following
20 insurance coverage's during the term of this Agreement:
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23

24 A. Workers' Compensation:

25 If DEVELOPER has employees as defined by the State of California,
26 DEVELOPER shall maintain statutory Workers' Compensation
27 Insurance (Coverage A) as prescribed by the laws of the State of
28 California. Policy shall include Employers' Liability (Coverage B)

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including Occupational Disease with limits not less than \$1,000,000 per person per accident. Policy shall be endorsed to waive subrogation in favor of DISTRICT, the County of Riverside and CITY.

B. Commercial General Liability:

Commercial General Liability insurance coverage, including but not limited to, premises liability, unmodified contractual liability, products and completed operations liability, personal and advertising injury, and cross liability coverage, covering claims which may arise from or out of DEVELOPER'S performance of its obligations hereunder. Policy shall name DISTRICT, the County of Riverside and CITY, its agencies, districts, special districts, and departments, their respective directors, officers, Board of Supervisors, employees, elected or appointed officials, agents or representatives as additional insureds. Policy's limit of liability shall not be less than \$2,000,000 per occurrence combined single limit. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or be no less than two (2) times the occurrence limit.

C. Vehicle Liability:

If DEVELOPER'S vehicles or mobile equipment are used in the performance of the obligations under this Agreement, then DEVELOPER shall maintain liability insurance for all owned, non-owned or hired vehicles so used in an amount not less than \$1,000,000 per occurrence combined single limit. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or be no less than two (2) times the occurrence limit. Policy shall name

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DISTRICT, the County of Riverside and CITY, its agencies, districts, special districts, and departments, their respective directors, officers, Board of Supervisors, employees, elected or appointed officials, agents or representatives as additional insureds.

D. Professional Liability:

DEVELOPER shall cause any architect or engineer retained by DEVELOPER in connection with the performance of DEVELOPER's obligations under this Agreement to maintain Professional Liability Insurance providing coverage for the performance of their work, with a limit of liability of not less than \$2,000,000 per occurrence and \$4,000,000 annual aggregate. DEVELOPER shall require that, if such Professional Liability Insurance is written on a claims made basis rather than an occurrence basis, such insurance shall continue through the term of this Agreement and that such architect or engineer shall purchase at such architect or engineer's sole expense either 1) an Extended Reporting Endorsement (also known as Tail Coverage), or 2) Prior Dates Coverage from a new insurer with a retroactive date back to the date of, or prior to, the inception of this Agreement, or 3) Demonstrate through Certificates of Insurance that such architect or engineer has maintained continuous coverage with the same or original insurer. Coverage provided under items 1), 2) or 3) shall continue for the term specified in the insurance policy, which shall be reasonably acceptable to DISTRICT and CITY.

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

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E. General Insurance Provisions – All Lines:

- i. Any insurance carrier providing insurance coverage hereunder shall be admitted to the State of California and have an A.M. BEST rating of not less than an A: VIII (A: 8) unless such requirements are waived, in writing, by the County and CITY Risk Managers. If the Risk Managers waives a requirement for a particular insurer such waiver is only valid for that specific insurer and only for one policy term.**

- ii. DEVELOPER must declare its insurance self-insured retention for each coverage required herein. If any such self-insured retention exceeds \$500,000 per occurrence each such retention shall have the prior written consent of the County and CITY Risk Managers before the commencement of operations under this Agreement. Upon notification of self-insured retention deemed unacceptable to DISTRICT, and at the election of the Risk Managers, DEVELOPER'S carriers shall either 1) reduce or eliminate such self-insured retention with respect to this Agreement with DISTRICT, or 2) procure a bond which guarantees payment of losses and related investigations, claims administration and defense costs and expenses.**

- iii. DEVELOPER shall cause their insurance carrier(s) or its contractor's insurance carrier(s), to furnish DISTRICT and CITY with 1) a properly executed original certificate(s) of insurance and certified original copies of endorsements effecting coverage as required herein; and 2) if requested to do so orally or in writing**

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by the County and CITY Risk Managers, provide original certified copies of policies including all endorsements and all attachments thereto, showing such insurance is in full force and effect. Further, said certificate(s) and policies of insurance shall contain the covenant of the insurance carrier(s) that a minimum of sixty (60) days written notice shall be given to DISTRICT and CITY prior to any material modification, cancellation, expiration or reduction in coverage of such insurance. If DEVELOPER insurance carrier(s) policies does not meet the minimum notice requirement found herein, DEVELOPER shall cause DEVELOPER'S insurance carrier(s) to furnish a 60 day Notice of Cancellation Endorsement. In the event of a material modification, cancellation, expiration or reduction in coverage, this Agreement shall terminate forthwith, unless DISTRICT and CITY receives, prior to such effective date, another properly executed original certificate of insurance and original copies of endorsements or certified original policies, including all endorsements and attachments thereto, evidencing coverages set forth herein and the insurance required herein is in full force and effect. An individual authorized by the insurance carrier to do so on its behalf shall sign the original endorsements for each policy and the certificate of insurance.

iv. It is understood and agreed by the parties hereto that DEVELOPER'S insurance shall be construed as primary insurance, and DISTRICT'S or CITY'S insurance and/or

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

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deductibles and/or self-insured retentions or self-insured programs shall not be construed as contributory.

v. If, during the term of this Agreement or any extension thereof, there is a material change in the scope of services or there is a material change in the equipment to be used in the performance of the scope of work which will add additional exposures (such as the use of aircraft, watercraft, cranes, etc.), or the term of this Agreement, including any extensions thereof, exceeds five (5) years, DISTRICT and CITY reserve the right to adjust the types of insurance required under this Agreement and the monetary limits of liability for the insurance coverages currently required herein if, in the County or CITY Risk Manager's reasonable judgment, the amount or type of insurance carried by DEVELOPER has become inadequate.

vi. DEVELOPER shall pass down the insurance obligations contained herein to all tiers of subcontractors working under this Agreement.

vii. The insurance requirements contained in this Agreement may be met with a program(s) of self-insurance acceptable to DISTRICT and CITY.

viii. DEVELOPER agrees to notify DISTRICT and CITY of any claim by a third party or any incident or event that may give rise to a claim arising from the performance of this Agreement.

Failure to maintain the insurance required by this paragraph shall be deemed a material breach of this Agreement and shall authorize and constitute authority for DISTRICT,

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

1 at its sole discretion, to provide written notice to DEVELOPER that DISTRICT is unable to
 2 perform its obligations hereunder, nor to accept responsibility for ownership, operation and
 3 maintenance of DISTRICT DRAINAGE FACILITY due, either in whole or in part, to said
 4 breach of this Agreement.

5 18. Construct or cause to be constructed PROJECT, at DEVELOPER'S sole cost
 6 and expense, in accordance with DISTRICT and CITY approved IMPROVEMENT PLANS.

7 19. Within two (2) weeks of completing PROJECT construction, provide
 8 DISTRICT (Attention: Contract Administration Section) and CITY with written notice that
 9 PROJECT construction is substantially complete and request that DISTRICT conduct a final
 10 inspection of DISTRICT DRAINAGE FACILITY and CITY conduct a final inspection of
 11 PROJECT.
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13 20. Upon completion of PROJECT construction, and upon acceptance by CITY
 14 of all rights of way deemed necessary by DISTRICT and CITY for the operation and maintenance
 15 of PROJECT, but prior to DISTRICT acceptance of DISTRICT DRAINAGE FACILITY for
 16 ownership, operation and maintenance, convey or cause to be conveyed to DISTRICT the flood
 17 control easement(s) or grant deed(s) of fee title where appropriate. The easement(s) or grant
 18 deed(s) shall be in a form approved by both DISTRICT and CITY, to the rights of way as shown
 19 in concept cross-hatched in black on Exhibit "C" and shall be executed by all legal and equitable
 20 owners of the property described in the easement(s) or grant deed(s).
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22 21. At the time of recordation of the conveyance document(s) as set forth in
 23 Section I.20., furnish DISTRICT with policies of title insurance, each in the amount of not less
 24 than (i) fifty percent (50%) of the estimated fee value, as determined by DISTRICT, for each
 25 easement parcel to be conveyed to DISTRICT, or (ii) one hundred percent (100%) of the
 26 estimated value, as determined by DISTRICT, for each fee parcel to be conveyed to DISTRICT,
 27 guaranteeing DISTRICT'S interest in said property as being free and clear of all liens,
 28

1 encumbrances, assessments, easements, taxes and leases (recorded or unrecorded) and except
2 those which, in the sole discretion of DISTRICT, are acceptable.

3 22. Accept ownership and sole responsibility for the operation and maintenance
4 of PROJECT until such time as DISTRICT accepts ownership and responsibility for operation
5 and maintenance of DISTRICT DRAINAGE FACILITY, CITY accepts ownership and
6 responsibility for operation and maintenance of CITY FACILITIES, and the Home Owners'
7 Association for Tract No. 31592 accepts ownership and responsibility for operation and
8 maintenance of DEVELOPER FACILITIES.

10 23. Accept all liability whatsoever associated with the ownership, operation and
11 maintenance of DISTRICT DRAINAGE FACILITY until such time as DISTRICT DRAINAGE
12 FACILITY are formally accepted by DISTRICT for ownership, operation and maintenance

14 24. Pay, if suit is brought upon this Agreement or any bond guaranteeing the
15 completion of PROJECT, all costs and reasonable expenses and fees, including reasonable
16 attorneys' fees, and acknowledge that, upon entry of judgment, all such costs, expenses and fees
17 shall be computed as costs and included in any judgment rendered.

18 25. Upon completion of PROJECT construction, but prior to DISTRICT
19 acceptance of DISTRICT DRAINAGE FACILITY for ownership, operation and maintenance,
20 provide or cause its civil engineer of record or construction civil engineer of record, duly
21 registered in the State of California, to provide DISTRICT with a redlined "record drawings"
22 copy of PROJECT plans. After DISTRICT approval of the redlined "record drawings",
23 DEVELOPER'S engineer shall schedule with DISTRICT a time to transfer the redlined changes
24 onto DISTRICT'S original mylars at DISTRICT'S office, after which the engineer shall review,
25 stamp and sign the original PROJECT engineering plans "record drawings".

27 26. Ensure that all work performed pursuant to this Agreement by
28 DEVELOPER, its agents or contractors is done in accordance with all applicable laws and

1 regulations, including but not limited to all applicable provisions of the Labor Code, Business
2 and Professions Code and Water Code. DEVELOPER shall be solely responsible for all costs
3 associated with compliance with applicable laws and regulations.

4 SECTION II

5 DISTRICT shall:

6
7 1. Review and approve IMPROVEMENT PLANS prior to the start of
8 PROJECT construction.

9 2. Provide CITY an opportunity to review and approve IMPROVEMENT
10 PLANS prior to DISTRICT'S final approval.

11 3. Upon execution of this Cooperative Agreement, record or cause to be
12 recorded a copy of this Cooperative Agreement in the Official Records of the Riverside County
13 Recorder.

14 4. Record or cause to be recorded the Irrevocable Offer(s) of Dedication
15 provided by DEVELOPER pursuant to Section I.9.

16 5. Inspect DISTRICT DRAINAGE FACILITY construction.

17 6. Keep an accurate accounting of all DISTRICT costs associated with the
18 review and approval of IMPROVEMENT PLANS, the review and approval of right of way and
19 conveyance documents and the processing and administration of this Cooperative Agreement.

20 7. Keep an accurate accounting of all DISTRICT construction inspection costs
21 and, within forty-five (45) days after DISTRICT acceptance of DISTRICT DRAINAGE
22 FACILITY as being complete, submit a final cost statement to DEVELOPER. If the deposit, as
23 set forth in Section I.3., exceeds such costs, DISTRICT shall reimburse DEVELOPER the excess
24 amount within sixty (60) days after DISTRICT acceptance of DISTRICT DRAINAGE
25 FACILITY as being complete. If at any time the costs exceed the deposit or are anticipated by
26 DISTRICT to exceed the deposit, DEVELOPER shall pay such additional amount(s), as deemed
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1 reasonably necessary by DISTRICT to complete inspection of DISTRICT DRAINAGE
2 FACILITY, within thirty (30) days after receipt of billing from DISTRICT.

3 8. Accept ownership and sole responsibility for the operation and maintenance
4 of DISTRICT DRAINAGE FACILITY upon (i) DISTRICT inspection of DISTRICT
5 DRAINAGE FACILITY in accordance with Section I.19., (ii) DISTRICT acceptance of
6 PROJECT construction as being complete, (iii) DISTRICT receipt of stamped and signed "record
7 drawings" of PROJECT plans, as set forth in Section I.25., (iv) recordation of all conveyance
8 documents described in Section I.20., (v) CITY acceptance of CITY FACILITIES for ownership,
9 operation, and maintenance and (vi) DISTRICT'S sole determination that DISTRICT
10 DRAINAGE FACILITY are in a satisfactorily maintained condition.
11

12 9. Provide CITY with a reproducible duplicate copy of "record drawings"
13 PROJECT plans upon DISTRICT acceptance of DISTRICT DRAINAGE FACILITY as being
14 complete.
15

16 SECTION III

17 CITY shall:

18 1. Review and approve IMPROVEMENT PLANS prior to the start of
19 PROJECT construction.

20 2. Accept CITY and DISTRICT approved faithful performance and payment
21 bonds submitted by DEVELOPER, as set forth in Section I.7., and hold said bonds as provided
22 herein.
23

24 3. Inspect PROJECT construction.

25 4. Consent, by execution of this Cooperative Agreement, to the recording of
26 any Irrevocable Offer(s) of Dedication furnished by DEVELOPER pursuant to this Cooperative
27 Agreement.
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5. As requested by DISTRICT, accept the Irrevocable Offer(s) of Dedication as set forth herein and any other outstanding offers of dedication necessary for the construction, inspection, operation and maintenance of DISTRICT DRAINAGE FACILITY, and convey sufficient rights of way to DISTRICT to allow DISTRICT to construct, inspect, operate and maintain DISTRICT DRAINAGE FACILITY.

6. Grant DISTRICT, by execution of this Agreement, the right to construct, inspect, operate and maintain DISTRICT DRAINAGE FACILITY within CITY rights of way.

7. Accept ownership and sole responsibility for the operation and maintenance of CITY FACILITIES upon DISTRICT acceptance of DISTRICT DRAINAGE FACILITY for ownership, operation and maintenance.

8. Upon DISTRICT acceptance of DISTRICT DRAINAGE FACILITY construction as being complete, accept sole responsibility for the adjustment of all PROJECT manhole rings and covers located within CITY rights of way which must be performed at such time(s) that the finished grade along and above the underground portions of DISTRICT DRAINAGE FACILITY are improved, repaired, replaced or changed. It being further understood and agreed that any such adjustments shall be performed at no cost to DISTRICT.

SECTION IV

It is further mutually agreed:

1. All work involved with PROJECT shall be inspected by DISTRICT and CITY but shall not be deemed complete until DISTRICT and CITY mutually agree in writing that construction is completed in accordance with DISTRICT and CITY approved IMPROVEMENT PLANS.

2. CITY and DEVELOPER personnel may observe and inspect all work being done on DISTRICT DRAINAGE FACILITY, but shall provide any comments to DISTRICT

1 personnel who shall be solely responsible for all quality control communications with
2 DEVELOPER'S contractor(s) during the construction of PROJECT.

3 3. DISTRICT acceptance of ownership and responsibility for the operation and
4 maintenance of DISTRICT DRAINAGE FACILITY shall be in a satisfactorily maintained
5 condition as solely determined by DISTRICT. If, subsequent to the inspection and in the sole
6 discretion of DISTRICT, DISTRICT DRAINAGE FACILITY is not in an acceptable condition,
7 corrections shall be made at sole expense of DEVELOPER.

8 4. DEVELOPER shall complete construction of PROJECT within eight (8)
9 consecutive months after execution of this Agreement and within one hundred twenty (120)
10 consecutive calendar days after commencing work on PROJECT. It is expressly understood that
11 since time is of the essence in this Agreement, failure of DEVELOPER to perform the work
12 within the agreed upon time shall constitute authority for DISTRICT to perform the remaining
13 work and require DEVELOPER'S surety to pay to CITY the penal sum of any and all bonds. In
14 which case, CITY shall subsequently reimburse DISTRICT for DISTRICT costs incurred.

15 5. If DEVELOPER fails to commence construction of PROJECT within eight
16 (8) months after execution of this Agreement, then DISTRICT reserves the right to withhold
17 issuance of the Notice to Proceed pending a review of the existing site conditions as they exist at
18 the time DEVELOPER provides written notification to DISTRICT of the start of construction as
19 set forth in Section I.8. In the event of a change in the existing site conditions that materially
20 affects PROJECT function or DISTRICT'S ability to operate and maintain DISTRICT
21 DRAINAGE FACILITY, DISTRICT may require DEVELOPER to modify IMPROVEMENT
22 PLANS as deemed necessary by DISTRICT. In the event of a change in the existing site
23 conditions that materially affects PROJECT function or CITY'S ability to operate and maintain
24 CITY FACILITIES, CITY may require DEVELOPER to modify IMPROVEMENTS as deemed
25 necessary by CITY.
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1 6. DISTRICT shall endeavor to issue DEVELOPER a Notice to Proceed
 2 within twenty (20) days of receipt of DEVELOPER'S complete written notice, as set forth in
 3 Section I.8.; however, DISTRICT'S construction inspection staff is limited and, therefore, the
 4 issuance of a Notice to Proceed is subject to staff availability.

5 In the event DEVELOPER wishes to expedite issuance of a Notice to
 6 Proceed, DEVELOPER may elect to furnish an independent qualified construction inspector at
 7 DEVELOPER'S sole cost and expense. DEVELOPER shall furnish appropriate documentation
 8 of the individual's credentials and experience to DISTRICT for review and, if appropriate,
 9 approval. DISTRICT shall review the individual's qualifications and experience and, upon
 10 approval thereof, said individual, hereinafter called "DEPUTY INSPECTOR", shall be
 11 authorized to act on DISTRICT'S behalf on all DISTRICT DRAINAGE FACILITY construction
 12 and quality control matters. If DEVELOPER'S initial construction inspection deposit furnished
 13 pursuant to Section I.3. exceeds ten thousand dollars (\$10,000), DISTRICT shall refund to
 14 DEVELOPER up to eighty percent (80%) of DEVELOPER'S initial inspection deposit within
 15 forty-five (45) days of DISTRICT'S approval of DEPUTY INSPECTOR; however, a minimum
 16 balance of ten thousand dollars (\$10,000) shall be retained on account.

17 7. PROJECT construction work shall be on a five (5) day, forty (40) hour work
 18 week with no work on Saturdays, Sundays or DISTRICT designated legal holidays, unless
 19 otherwise approved in writing by DISTRICT. If DEVELOPER feels it is necessary to work more
 20 than the normal forty (40) hour work week or on holidays, DEVELOPER shall make a written
 21 request for permission from DISTRICT to work the additional hours. The request shall be
 22 submitted to DISTRICT at least seventy-two (72) hours prior to the requested additional work
 23 hours and shall state the reasons for the overtime and the specific time frames required. The
 24 decision of granting permission for overtime work shall be made by DISTRICT at its sole
 25 discretion and shall be final. If permission is granted by DISTRICT, DEVELOPER will be

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

1 charged the cost incurred at the overtime rates for additional inspection time required in
 2 connection with the overtime work in accordance with Ordinance Nos. 671 and 749, including
 3 any amendments thereto, of the County of Riverside.

4 8. DEVELOPER for itself, its successors and assigns hereby releases
 5 DISTRICT, the County of Riverside and CITY (including their agencies, districts, special
 6 districts and departments, their respective directors, officer, Board of Supervisors, elected and
 7 appointed officials, employees, agents and representatives) from any and all claims, demands,
 8 actions, or suits of any kind arising out of any liability, known or unknown, present or future,
 9 including but not limited to any claim or liability, based or asserted, pursuant to Article I, Section
 10 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any
 11 other law or ordinance which seeks to impose any other liability or damage, whatsoever, for
 12 damage caused by the discharge of drainage within or from PROJECT. Nothing contained herein
 13 shall constitute a release by DEVELOPER of DISTRICT, its officers, agents and employees from
 14 any and all claims, demands, actions or suits of any kind arising out of any liability, known or
 15 unknown, present or future, for the negligent maintenance of DISTRICT DRAINAGE
 16 FACILITY, after the acceptance of ownership, operation and maintenance of DISTRICT
 17 DRAINAGE FACILITY by DISTRICT.

18 9. DEVELOPER shall indemnify and hold harmless DISTRICT, the County
 19 of Riverside, and CITY (including their respective agencies, districts, special districts and
 20 departments, their respective directors, officers, Board of Supervisors, elected and appointed
 21 officials, employees, agents and representatives) from any liability, claim, damage, proceeding
 22 or action, present or future, based upon, arising out of or in any way relating to DEVELOPER'S
 23 (including its officers, employees, subcontractors and agents) actual or alleged acts or omissions
 24 related to this Agreement, performance under this Agreement, or failure to comply with the
 25 requirements of this Agreement, including but not limited to (a) property damage, (b) bodily
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1 injury or death, (c) liability or damage pursuant to Article I, Section 19 of the California
 2 Constitution, the Fifth Amendment of the United States Constitution or any other law, ordinance
 3 or regulation caused by the diversion of waters from the natural drainage patterns or the discharge
 4 of drainage within or from PROJECT or (d) any other element of any kind or nature whatsoever.

5 DEVELOPER shall defend, at its sole expense, including all costs and fees
 6 (including but not limited to attorney fees, cost of investigation, defense and settlements or
 7 awards), DISTRICT, the County of Riverside, and CITY (including their respective agencies,
 8 districts, special districts and departments, their respective directors, officers, Board of
 9 Supervisors, elected and appointed officials, employees, agents and representatives) in any claim,
 10 proceeding or action for which indemnification is required.

11 With respect to any of DEVELOPER'S indemnification requirements,
 12 DEVELOPER shall, at its sole cost, have the right to use counsel of their own choice and shall
 13 have the right to adjust, settle, or compromise any such claim, proceeding or action without the
 14 prior consent of DISTRICT, the County of Riverside and CITY; provided, however, that any
 15 such adjustment, settlement or compromise in no manner whatsoever limits or circumscribes
 16 DEVELOPER'S indemnification obligations to DISTRICT, the County of Riverside, or CITY.

17 DEVELOPER'S indemnification obligations shall be satisfied when
 18 DEVELOPER has provided to DISTRICT, the County of Riverside, and CITY the appropriate
 19 form of dismissal (or similar document) relieving DISTRICT, the County of Riverside, or CITY
 20 from any liability for the claim, proceeding or action involved.

21 The specified insurance limits required in this Agreement shall in no way
 22 limit or circumscribe DEVELOPER'S obligations to indemnify and hold harmless DISTRICT,
 23 the County of Riverside and CITY from third party claims.

24 In the event there is conflict between this section and California Civil Code
 25 Section 2782, this section shall be interpreted to comply with California Civil Code Section 2782.

1 Such interpretation shall not relieve DEVELOPER from indemnifying DISTRICT, County of
2 Riverside or CITY to the fullest extent allowed by law.

3 10. Any waiver by DISTRICT or by CITY of any breach of any one or more of
4 the terms of this Agreement shall not be construed to be a waiver of any subsequent or other
5 breach of the same or of any other term hereof. Failure on the part of DISTRICT or CITY to
6 require exact, full and complete compliance with any terms of this Agreement shall not be
7 construed as in any manner changing the terms hereof or estopping DISTRICT or CITY from
8 enforcement hereof.
9

10 11. Any and all notices sent or required to be sent to the parties of this
11 Agreement will be mailed by first class mail, postage prepaid, to the following addresses:

12 **RIVERSIDE COUNTY FLOOD CONTROL**
13 **AND WATER CONSERVATION DISTRICT**
14 1995 Market Street
15 Riverside, CA 92501
Attn: Administration Services Section

CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92552
Attn: Michael Lloyd, Engineering
Division Manager

16 **KB HOME CALIFORNIA, LLC**
17 36310 Inland Valley Drive
18 Wildomar, CA 92595
19 Attn: Scott Hansen

20 12. This Agreement is to be construed in accordance with the laws of the State
21 of California. If any provision of this Agreement is held by a court of competent jurisdiction to
22 be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full
23 force without being impaired or invalidated in any way.
24

25 13. Any action at law or in equity brought by any of the parties hereto for the
26 purpose of enforcing a right or rights provided for by the Agreement, shall be tried in a court of
27 competent jurisdiction in the County of Riverside, State of California, and the parties hereto
28

1 waive all provisions of law providing for a change of venue in such proceedings to any other
2 county.

3 14. This Agreement is the result of negotiations between the parties hereto, and
4 the advice and assistance of their respective counsel. The fact that this Agreement was prepared
5 as a matter of convenience by DISTRICT shall have no import or significance. Any uncertainty
6 or ambiguity in this Agreement shall not be construed against DISTRICT because DISTRICT
7 prepared this Agreement in its final form.
8

9 15. The rights and obligations of DEVELOPER shall inure to and be binding
10 upon all heirs, successors and assignees.

11 16. DEVELOPER shall not assign or otherwise transfer any of its rights, duties
12 or obligations hereunder to any person or entity without the written consent of the other parties
13 hereto being first obtained. In the event of any such transfer or assignment, DEVELOPER
14 expressly understands and agrees that it shall remain liable with respect to any and all of the
15 obligations and duties contained in this Agreement.
16

17 17. The individual(s) executing this Agreement on behalf of DEVELOPER
18 hereby certify that they have the authority within their company to enter into and execute this
19 Agreement, and have been authorized to do so by any and all boards of directors, legal counsel,
20 and/or any other board, committee or other entity within their company which have the authority
21 to authorize or deny entering this Agreement.
22

23 18. This Agreement is intended by the parties hereto as a final expression of
24 their understanding with respect to the subject matters hereof and as a complete and exclusive
25 statement of the terms and conditions thereof and supersedes any and all prior and
26 contemporaneous agreements and understandings, oral or written, in connection therewith. This
27 Agreement may be changed or modified only upon the written consent of the parties hereto.
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IN WITNESS WHEREOF, the parties hereto have executed this Cooperative

Agreement on JUL 25 2017
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION ISTRICT

By [Signature]
JASON E. UHLEY
General Manager-Chief Engineer

By [Signature]
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

APPROVED AS TO FORM:
GREGORY P. PRIAMOS
County Counsel

ATTEST:
KECIA HARPER-IHEM
Clerk of the Board

By [Signature]
LEILA MOSHREF-DANESH
Deputy County Counsel

By [Signature]
Deputy

(SEAL)

Cooperative Agreement with City of Moreno Valley and KB Home California, LLC:
Sunnymead - Vista Land Storm Drain, Stage 1
Project No. 4-0-00364
(Tract NO. 31592)
04/25/17
CSS:AMR:blm

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING


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RECOMMENDED FOR APPROVAL:

CITY OF MORENO VALLEY


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By 
AHMAD R. ANSARI
Public Works Director/City Engineer

By 
Thomas H. DeSantis
City Manager

APPROVED AS TO FORM:
MARTIN D. KOCZANOWICZ
City Attorney

ATTEST:

By 
PAUL EARLY
Assistant City Attorney

By 
PAT JACQUEZ-NARES
City Clerk

(SEAL)

Cooperative Agreement:
West End Moreno MDP Line V-3, Stage 1
Project No. 4-0-00786
Tract No. 35414
AMR:blm
02/14/17

212113

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KB HOME CALIFORNIA, LLC
 a Delaware limited liability company

By 
 SCOTT HANSEN
 Vice President, Forward Planning

(ATTACH NOTARY WITH CAPACITY STATEMENT)

Cooperative Agreement with City of Moreno Valley and KB Home California, LLC:
 Sunnymead - Vista Land Storm Drain, Stage 1
 Project No. 4-0-00364
 (Tract N0. 31592)
 04/25/17
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside }

On May 2, 2017 before me, Sonia Rodriguez, Notary Public, personally appeared Scott Hansen, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Sonia Rodriguez



(SEAL)

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

Exhibit A

LEGAL DESCRIPTION

Real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

PARCEL 1:

PARCEL 1 OF LOT LINE ADJUSTMENT NO. 9621 RECORDED JUNE 23, 2005 AS INSTRUMENT NO. 2005-498850 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE EASTERLY RECTANGULAR 660 FEET OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 30;

THENCE SOUTH 00° 45' 22" WEST, ALONG THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 1056.28 FEET TO A POINT THEREON;

THENCE NORTH 89° 18' 10" WEST, A DISTANCE OF 660.00 FEET TO A POINT ON THE WEST LINE OF SAID EASTERLY RECTANGULAR 660 FEET OF THE NORTHEAST QUARTER OF SECTION 30;

THENCE NORTH 00° 45' 22" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1062.87 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 30;

THENCE SOUTH 88° 43' 50" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 660.03 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

APN: 474-490-024-0

PARCEL 2:

PARCEL 2 OF LOT LINE ADJUSTMENT NO. 9621 RECORDED JUNE 23, 2005 AS INSTRUMENT NO. 2005-0498850 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE EASTERLY RECTANGULAR 660 FEET OF THE NORTHERLY RECTANGULAR 1320 FEET OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF;

TOGETHER WITH THE EASTERLY RECTANGULAR 660 FEET OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF;

Exhibit A

EXCEPTING THEREFROM THAT PORTION OF THE EASTERLY RECTANGULAR 660 FEET OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE SOUTH 00° 45' 22" WEST, ALONG THE EAST LINE OF SAID SECTION 30, A DISTANCE OF 1056.28 FEET TO A POINT THEREON; THENCE NORTH 89° 18' 10" WEST, A DISTANCE OF 660.00 FEET TO A POINT ON THE WEST LINE OF SAID EASTERLY RECTANGULAR 660 FEET OF THE NORTHEAST QUARTER OF SECTION 30; THENCE NORTH 00° 45' 22" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1062.87 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 30; THENCE SOUTH 88° 43' 50" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 660.03 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

APN: 474-490-025-1

PARCEL 3:

PARCEL 2 OF LOT LINE ADJUSTMENT NO. 05088 RECORDED NOVEMBER 08, 2006 AS INSTRUMENT NO. 2006-0823600 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO MERIDIAN.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN SAID SOUTHWEST QUARTER DESCRIBED AS FOLLOWS:

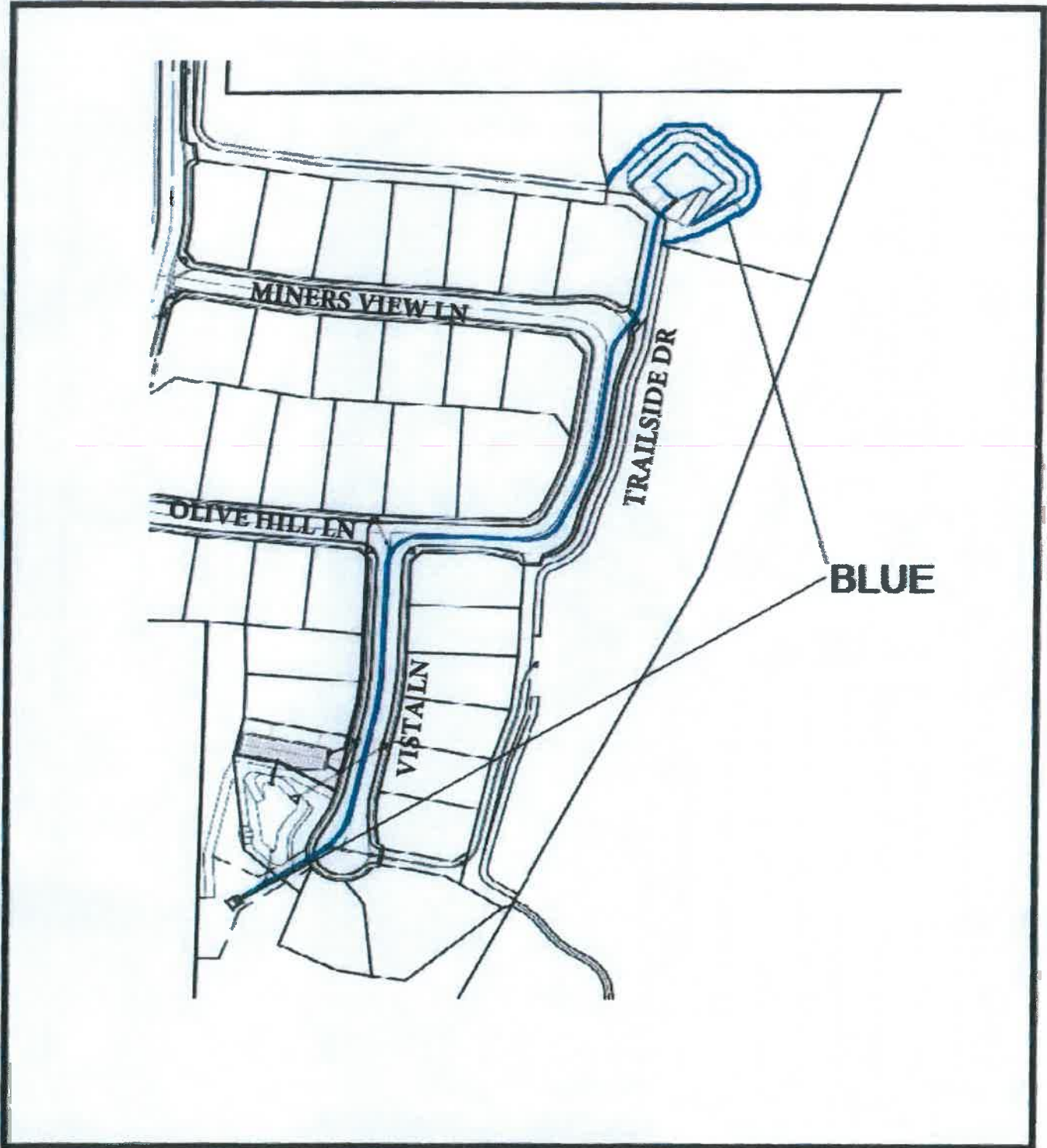
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 00° 45' 22" EAST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 845.25 FEET TO A POINT THEREON; THENCE NORTH 88° 53' 33" EAST, A DISTANCE OF 1303.07 FEET; THENCE SOUTH 00° 30' 13" WEST, A DISTANCE OF 1335.26 FEET; THENCE SOUTH 88° 54' 01" WEST, A DISTANCE OF 1308.84 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 00° 44' 37" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 490.01 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT IN DEED RECORDED ON JANUARY 25, 1991 AS INSTRUMENT NUMBER 027950 OFFICIAL RECORDS OF RIVERSIDE COUNTY.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT IN DEED RECORDED ON AUGUST 08, 1995 AS INSTRUMENT NUMBER 258682 OFFICIAL RECORDS OF RIVERSIDE COUNTY.

APN: 474-040-032-6

Exhibit B



COOPERATIVE AGREEMENT

Sunnymead - Vista Lane Storm Drain, Stage 1

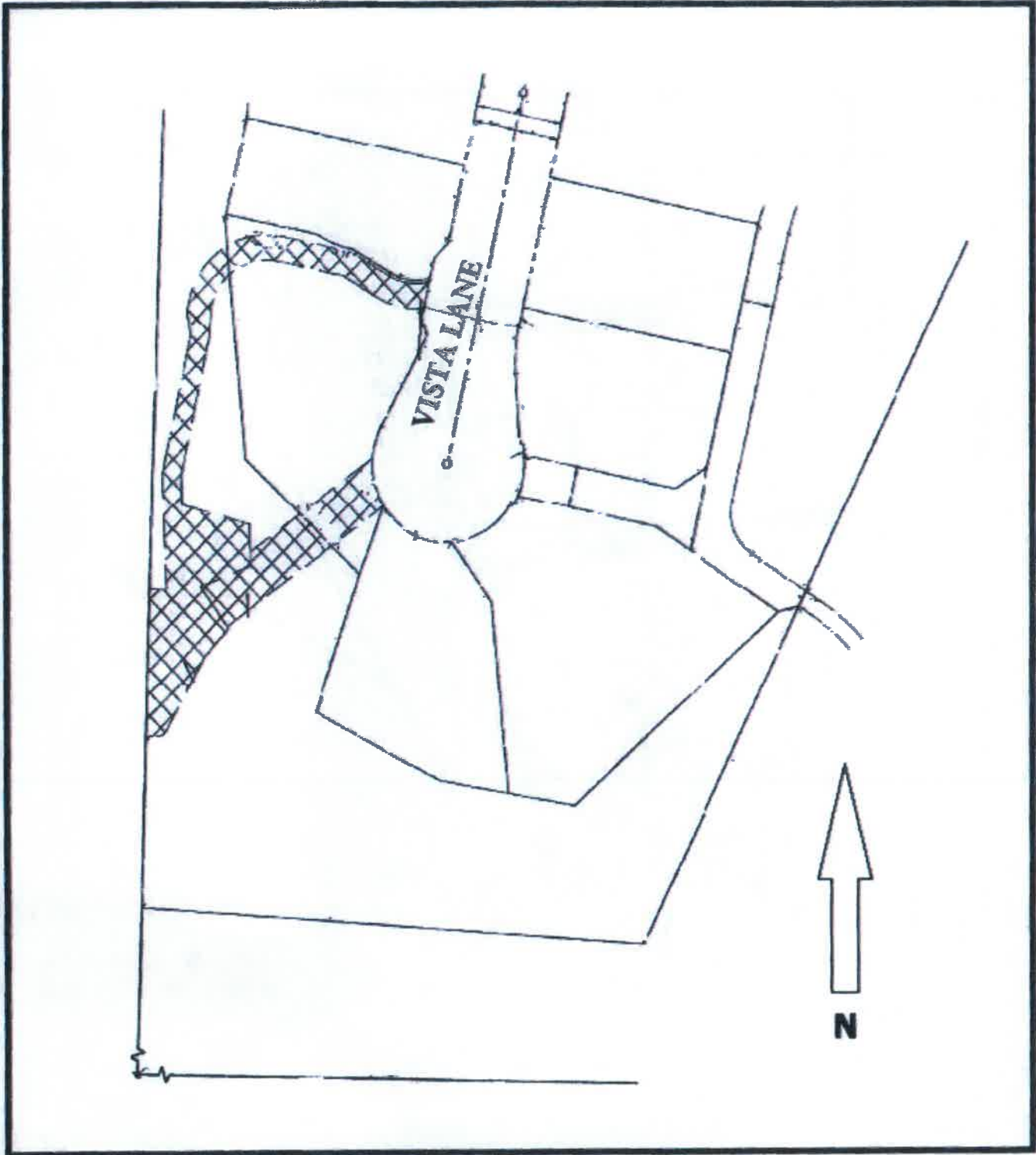
TR 31592

Project No. 4-0-00364

Page 1 of 1

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

Exhibit C



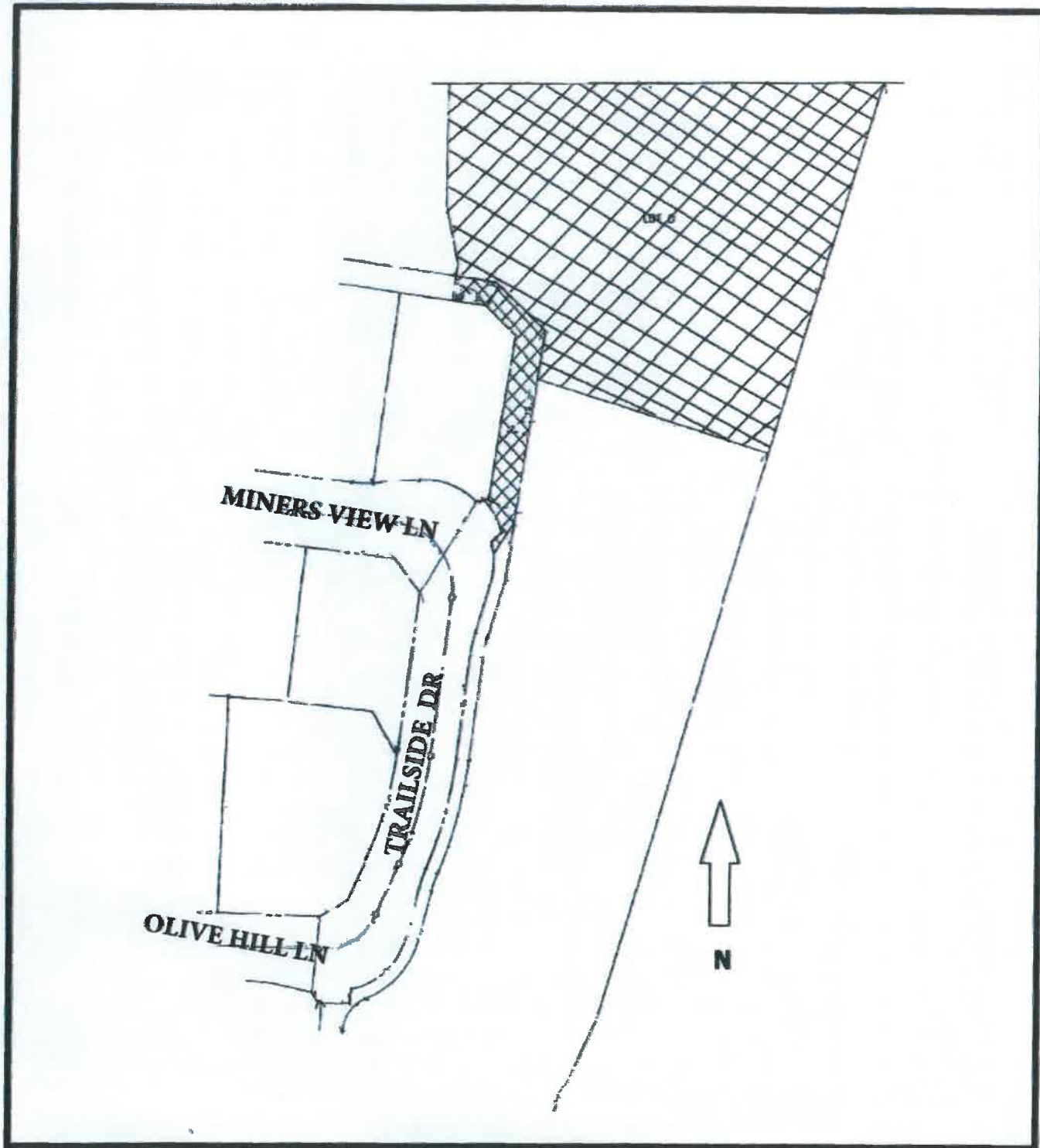
COOPERATIVE AGREEMENT

Sunnymead - Vista Lane Storm Drain, Stage 1

TR 31592
Project No. 4-0-00364
Page 1 of 2

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

Exhibit C



COOPERATIVE AGREEMENT

Sunnymead - Vista Lane Storm Drain, Stage 1

TR 31592

Project No. 4-0-00364

Page 2 of 2

Attachment: Attachment 2 - Cooperative Agreement TM 31592 (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING

Recorded at request of, and return to:
Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APNs 474-760-024 and 474-760-026

The undersigned grantor(s) declare(s)
DDT: - 0 - THE CONVEYANCE IS TO A GOVERNMENTAL
ENTITY OR POLITICAL SUBDIVISION R&T 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the **CITY OF MORENO VALLEY, a municipal corporation** does hereby remise, release and forever quitclaim to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic**, all right, title and interest in and to an access easement, situated in the city of Moreno Valley, County of Riverside, State of California, described as follows:

See legal description attached hereto as Exhibit "A", and made part hereof, to be referenced hereafter as **RCFC Parcel No. 4364-500**.

CITY OF MORENO VALLEY,
a municipal corporation:

Date: _____

By: _____
MIKE LEE, City Manager

ATTEST:

JANE HALSTEAD,
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

EXHIBIT "A"

LEGAL DESCRIPTION

SUNNYMEAD – VISTA LANE - STORM DRAIN

Parcel No. 4364-500

APNs: 474-760-024 & 474-760-026

In the City of Moreno Valley, County of Riverside, State of California, being that certain Access Easement, noted as Easement Note No. 9, over portions of Lot "L" and Lot "S", Tract No. 31592, filed in Book 461, Pages 57 through 80, inclusive, of Maps, records of said county.

Containing 9,225 square feet / 0.212 acre more or less.



[Handwritten Signature]

JAMES R. McNEILL
Land Surveyor No. 7752
Date: 1/3/2022

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Quitclaim Deed, dated _____ from the **CITY OF MORENO VALLEY** ("Grantor") to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION** ("Grantee"), a **body politic**, is hereby accepted by the undersigned officer on behalf of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District pursuant to authority conferred by Resolution No. 474 of the Board of Supervisors of said District adopted on May 12, 1961, and the Grantee consents to the recordation thereof by its duly authorized officer.

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

Date: _____

By: _____
JASON E. UHLEY
General Manager-Chief Engineer

Project: Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APN 474-760-024 and 474-760-026
RCFC Parcel No. 4364-500

AU:blm

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592)) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

248012

Recorded at request of, and return to:
Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APNs 474-760-024 and 474-760-026

The undersigned grantor(s) declare(s)
DDT: - 0 - THE CONVEYANCE IS TO A GOVERNMENTAL
ENTITY OR POLITICAL SUBDIVISION R&T 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the **CITY OF MORENO VALLEY, a municipal corporation** does hereby remise, release and forever quitclaim to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic**, all right, title and interest in and to a storm drain easement, situated in the city of Moreno Valley, County of Riverside, State of California, described as follows:

See legal description attached hereto as Exhibit "A", and made part hereof, to be referenced hereafter as **RCFC Parcel No. 4364-501**.

CITY OF MORENO VALLEY,
a municipal corporation:

Date: _____

By: _____
MIKE LEE, City Manager

ATTEST:

JANE HALSTEAD
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

EXHIBIT "A"

LEGAL DESCRIPTION

SUNNYMEAD – VISTA LANE - STORM DRAIN

Parcel No. 4364-501

APNs: 474-760-024 & 474-760-026

In the City of Moreno Valley, County of Riverside, State of California, being that certain Storm Drain Easement, noted as Easement Note No. 10, over portions of Lot "L" and Lot "S", Tract No. 31592, filed in Book 461, Pages 57 through 80, inclusive, of Maps, records of said county.

Containing 3,464 square feet / 0.080 acre more or less.





JAMES R. McNEILL
Land Surveyor No. 7752
Date: 1/3/2022

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Quitclaim Deed, dated _____ from the **CITY OF MORENO VALLEY** ("Grantor") to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION** ("Grantee"), a **body politic**, is hereby accepted by the undersigned officer on behalf of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District pursuant to authority conferred by Resolution No. 474 of the Board of Supervisors of said District adopted on May 12, 1961, and the Grantee consents to the recordation thereof by its duly authorized officer.

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Date: _____

By: _____
JASON E. UHLEY
General Manager-Chief Engineer

Project: Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APN 474-760-024 & 474-760-026
RCFC Parcel No. 4364-501

AU:blm

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

Recorded at request of, and return to:
Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APN 474-760-027

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantor(s) declare(s)
DDT: - 0 - THE CONVEYANCE IS TO A GOVERNMENTAL
ENTITY OR POLITICAL SUBDIVISION R&T 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the **CITY OF MORENO VALLEY, a municipal corporation** does hereby remise, release and forever quitclaim to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic**, all right, title and interest in and to a storm drain easement, situated in the city of Moreno Valley, County of Riverside, State of California, described as follows:

See legal description attached hereto as Exhibit "A", and made part hereof, to be referenced hereafter as **RCFC Parcel No. 4364-502**.

CITY OF MORENO VALLEY,
a municipal corporation:

Date: _____

By: _____
MIKE LEE, City Manager

ATTEST:

JANE HALSTEAD
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

EXHIBIT "A"

LEGAL DESCRIPTION

SUNNYMEAD – VISTA LANE - STORM DRAIN

Parcel No. 4364-502

APNs: 474-760-027

In the City of Moreno Valley, County of Riverside, State of California, being that certain Storm Drain Easement, noted as Easement Note No. 10, over that portion of Lot "T" lying easterly of "L118", Tract No. 31592, filed in Book 461, Pages 57 through 80, inclusive, of Maps, records of said county.

Containing 5,523 square feet / 0.127 acre more or less.



[Handwritten Signature]

JAMES R. McNEILL
Land Surveyor No. 7752
Date: 1/3/2022

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Quitclaim Deed, dated _____ from the **CITY OF MORENO VALLEY** ("Grantor") to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION** ("Grantee"), a **body politic**, is hereby accepted by the undersigned officer on behalf of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District pursuant to authority conferred by Resolution No. 474 of the Board of Supervisors of said District adopted on May 12, 1961, and the Grantee consents to the recordation thereof by its duly authorized officer.

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

Date: _____

By: _____

JASON E. UHLEY
General Manager-Chief Engineer

Project: Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APN 474-760-027
RCFC Parcel No. 4364-502

AU:blm

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

248014

Recorded at request of, and return to:
Riverside County Flood Control
and Water Conservation District
1995 Market Street
Riverside, California 92501

NO FEE (GOV. CODE 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APN 474-760-022

The undersigned grantor(s) declare(s)
DDT: - 0 - THE CONVEYANCE IS TO A GOVERNMENTAL
ENTITY OR POLITICAL SUBDIVISION R&T 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the **CITY OF MORENO VALLEY, a municipal corporation** does hereby remise, release and forever quitclaim to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic**, all right, title and interest in and to an easement for flood control and drainage purposes, including but not limited to construction, use, repair, reconstruction, inspection, operation and maintenance of basin and storm drain facilities and all appurtenant works, including ingress and egress thereto, situated in the city of Moreno Valley, County of Riverside, State of California, more particularly described in Irrevocable Offer of Dedication recorded August 15, 2018 as Instrument Number 2018-0326762 in the records of the Recorder's Office, Riverside County, State of California, to be referenced hereafter as **RCFC Parcel 4364-503** as shown on Exhibits "A" and "B", attached for reference purposes only.

CITY OF MORENO VALLEY,
a municipal corporation:

Date: _____

By: _____
MIKE LEE, City Manager

ATTEST:

PAT JACQUEZ-NARES
Clerk to the City of Moreno Valley

By: _____
City Clerk

(SEAL)

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

CONSENT TO RECORD (GOV. CODE 7050)

THIS IS TO CERTIFY that the City of Moreno Valley consents to the recordation of this Irrevocable Offer of Dedication pursuant to a Cooperative Agreement recorded on September 6, 2017 as Instrument No. 2017-0370070

**AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
1995 MARKET STREET, RIVERSIDE, CA 92501**

NO FEE (GOV. CODE 6103)

2018-0326762

08/15/2018 01:51 PM Fee: \$ 0.00

Page 1 of 3

Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder



420

Sunnymead – Vista Ln SD, Stg. 1
Project No. 7-0-00364
TR 31592

IRREVOCABLE OFFER OF DEDICATION

KB HOME CALIFORNIA LLC, a Delaware limited liability company, hereby Dedicates in Perpetuity to the Public, on behalf of Riverside County Flood Control and Water Conservation District, an easement for flood control and drainage purposes, included but not limited to the construction, use, repair, reconstruction, inspection, operation and maintenance of basin and storm drain facilities, and all appurtenant works, including ingress and egress thereto, over, under and across that certain real property situated in the City of Moreno Valley, County of Riverside, State of California, described as follows:

See legal description attached hereto as Exhibit "A" and made a part hereof.

KB HOME CALIFORNIA LLC,
a Delaware limited liability company:

Date: 7/31/18

By: [Signature]

Name: SCOTT HANSEN

Title: V.P. FORWARD PLANNING

Date: _____

By: _____

Name: _____

Title: _____

(Notary Attached)

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

EXHIBIT "A"**LEGAL DESCRIPTION****SUNNYMEAD – VISTA LANE STORM DRAIN, STAGE 1**

In the City of Moreno Valley, county of Riverside, State of California, Lot D of Tract No. 31592, as shown on a Map recorded in Book 461, at Pages 57 to 80, inclusive, of Maps, in the Office of the Riverside County Recorder.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside }

On July 31, 2018 before me, Shannon Luebs, Notary Public, personally appeared Scott Hansen, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Shannon Luebs
Shannon Luebs



(SEAL)

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Quitclaim Deed, dated _____ from the **CITY OF MORENO VALLEY** ("Grantor") to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION** ("Grantee"), a **body politic**, is hereby accepted by the undersigned officer on behalf of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District pursuant to authority conferred by Resolution No. 474 of the Board of Supervisors of said District adopted on May 12, 1961, and the Grantee consents to the recordation thereof by its duly authorized officer.

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Date: _____

By: _____
JASON E. UHLEY
General Manager-Chief Engineer

Project: Sunnymead-Vista Lane Storm Drain
Project No. 4-0-00364
Tract No. 31592
APN 474-760-022
RCFC Parcel No. 4364-503

AU:blm

Attachment: Attachment 3 - Quitclaim Deeds (6102 : PA03-0086 (TM 31592) - EXECUTE QUITCLAIM DEEDS TRANSFERRING THE CITY'S TITLE



Report to City Council

TO: Mayor and City Council

FROM: Melissa Walker, Public Work Director/City Engineer

AGENDA DATE: February 21, 2023

TITLE: PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D23-001 FOR AUBURN RESIDENTIAL DEVELOPMENT LOCATED AT THE NORTHWEST CORNER OF BAY AVENUE AND MORENO BEACH DRIVE. DEVELOPER: KB HOME COASTAL, INC.

RECOMMENDED ACTION

Recommendations:

1. Accept and approve the Development Impact Fees Improvement Credit Agreement #D23-001 (DIF Agreement) for PEN19-0168 improvements.
2. Authorize the City Manager to execute the DIF Agreement.

SUMMARY

This report recommends approval of a DIF Agreement for PEN19-0168 (TR 32408) with KB Home Coastal Inc. The developer of Tract 32408 is required to construct the arterial streets, Moreno Beach Drive and Cottonwood Avenue, that are designated DIF streets in the City's DIF Nexus Study as well as a traffic signal located at the intersection of Moreno Beach Drive and Bay Avenue. The developer's maximum credit amount is based on the least of the DIF Nexus Study Costs, the Engineer's Cost Estimate, and the DIF Fee Obligation.

DISCUSSION

The Developer is approved to construct 78 single-family residential units on approximately 29 acres located at the northwest corner of Bay Avenue and Moreno Beach Drive (See Attachment 1). The City's Municipal Code, Chapter 3.38, "Residential Development Impact Fees" requires the Developer to pay DIF. The DIF covers the

Developer's fair share of the costs to construct improvements that help mitigate the traffic impacts and burdens generated by the project on the City's network of arterial streets and traffic signals.

As part of the project conditions of approval, the Developer will be constructing required DIF-related public improvements. Section 3.38.150 of the City's Municipal Code allows the Developer to receive a credit for qualifying public improvements made to the designated arterial street(s) and traffic signal(s). Moreno Beach Drive and Cottonwood Avenue are designated streets in the City's DIF Nexus Study. A new traffic signal shall be installed at the intersection of Moreno Beach Drive and Bay Avenue. The developer of project PEN19-0168 is required to construct public improvements at these locations.

The Developer is eligible to receive DIF Credit for specific improvements identified in the DIF Nexus Study. Qualifying DIF improvement costs include roadway excavation, imported borrow, clearing and grubbing, water supply development, subgrade preparation, asphalt concrete, aggregate base, curb and gutter, sidewalk, drainage and low impact development improvements, retaining wall, water quality and erosion control, environmental mitigation, street light, striping, pavement markings and markers, signage, concrete, construction mobilization, construction traffic control, right of way, utility relocation, and traffic signal related improvements.

Per the DIF Agreement, the initial credit is the least of the DIF Nexus Study Costs, Engineer's Cost Estimate, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Agreement (See Attachment 2). The maximum DIF Credit for this project is \$275,633 for the Arterial Street component and \$58,344 for the Traffic Signal component of the DIF.

ALTERNATIVES

1. Approve and accept the recommended actions as presented in this staff report. Staff recommends this alternative to help achieve the construction goals as identified within the DIF Nexus Study.
2. Do not approve and do not accept the recommended actions as presented in this staff report. Staff does not recommend this alternative as it would result in not achieving the construction goals as identified within the DIF Nexus Study.

FISCAL IMPACT

There is no fiscal impact.

NOTIFICATION

Publication of agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Hoang Nguyen, P.E.
Associate Engineer II

Department Head Approval:
Melissa Walker, P.E.
Public Works Director/City Engineer

Concurred By:
Clement Jimenez, P.E.
Principal Engineer

CITY COUNCIL GOALS

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

CITY COUNCIL STRATEGIC PRIORITIES

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

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

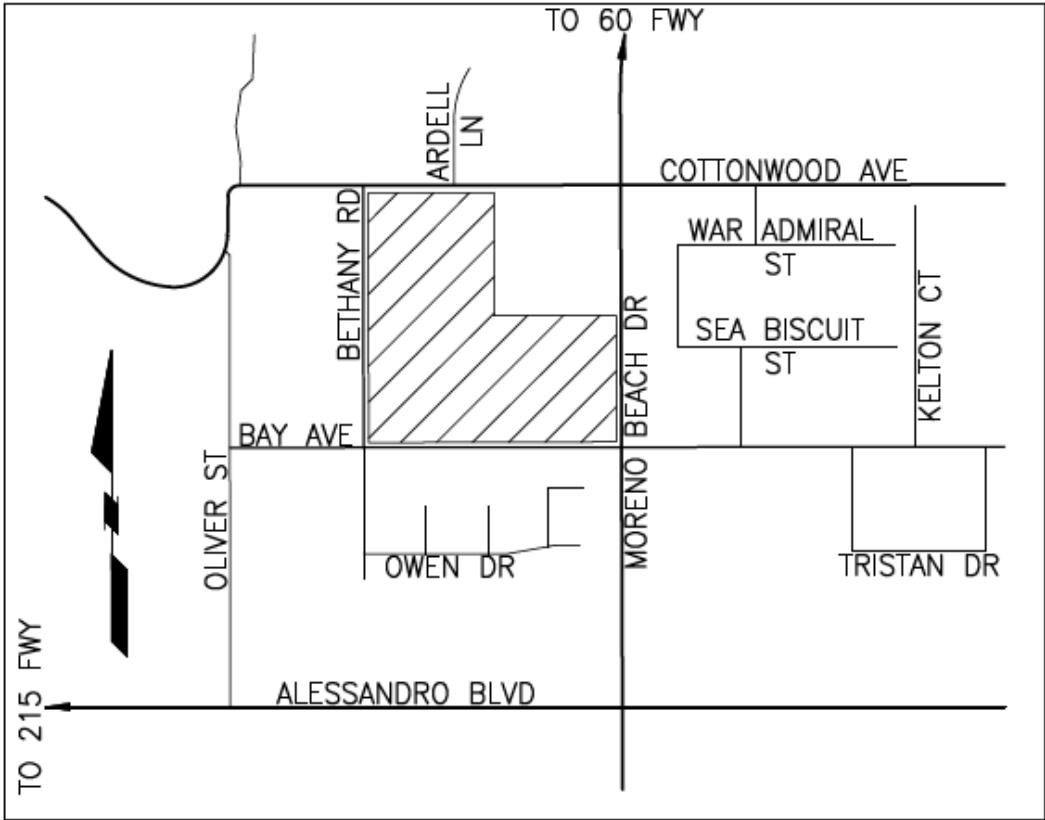
ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

- 1. Vicinity Map - PEN19-0168 (TR 32408)
- 2. DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408)

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 7:47 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:23 AM



VICINITY MAP
NTS

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT

PEN19-0168 (TR 32408)
Final Map

Attachment: Vicinity Map - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE (DIF)

**DEVELOPMENT IMPACT FEES
IMPROVEMENT CREDIT AGREEMENT
NUMBER D23-001
PEN19-0168 (TR32408)**

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as “City” and the undersigned Developer, hereinafter referred to as “Developer.”

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit “A”), dated _____, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the “Project”), some of which may be eligible for Development Impact Fees (hereinafter referred to as “DIF”) Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 “Residential Development Impact Fees” and Chapter 3.42 “Commercial and Industrial Development Impact Fees” requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as “DIF Obligation”) which covers the Project’s fair share of the costs to construct improvements that help mitigate the impacts

and burdens on the City’s local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City’s DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of _____, the Developer is obligated to pay DIF for the Project to City in the amount of One Million One Hundred Ninety One and Twenty One Dollars (\$1,191,021.00) of which (\$275,633) is for the DIF Arterial Component and (\$58,344) is for the DIF Traffic Signal Component. (hereinbefore and hereinafter referred to as the "DIF Obligation").

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that

this Agreement does not alter, limit, increase or reduce the obligations under those code sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 “Credit for Improvements Provided by Developers” (residential), or 3.42.110 “Credit for Improvements Provided by Developers” (commercial and industrial), and in accordance with the City’s Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the “Credit and Reimbursement Policy”) and in consideration of Developer’s obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All such documentation shall be submitted by the Developer to the City Engineer no later

than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation (*completed by City*).

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer may be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility.

To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All

assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: KB Coastal, Inc.
36310 Inland Valley Drive, Suite 300
Wildomar, Ca 92595

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

(Name of Developer)
a _____
(legal capacity of Developer)

By: _____
Mike Lee, City Manager

Its: _____

Date: _____

By: _____

Its: _____

Date: _____

APPROVED AS TO FORM:

City Attorney

By: _____

Date: _____

Its: _____

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:

All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

**DEVELOPMENT IMPACT FEES
IMPROVEMENT CREDIT AGREEMENT, NO. D23-001
PEN19-0168 (TR 32408)**

EXHIBIT "A"

**PUBLIC IMPROVEMENT AGREEMENT
WITH BONDS**

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

**AGREEMENT FOR PUBLIC IMPROVEMENTS
FOR
PROJECT NO. PEN19-0168 (TR 32408) Offsite**

This Agreement made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **KB Home Coastal, Inc.**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **KB Home Coastal, Inc.** agrees, at Developer's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above-required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one-year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land, which will permit the improvements to be made, and the Developer waives the 120-day time limitation set forth in Section 66462.5, Government Code.

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

Faithful Performance security shall be in the sum of **TWO MILLION NINETY-EIGHT THOUSAND AND NO/100** Dollars (*****\$2,098,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **ONE MILLION FORTY-NINE THOUSAND AND NO/100** Dollars (*****\$1,049,000.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

Developer further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one-year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Upon entering the warranty period, the City shall retain ten percent of the original faithful performance security. Developer reserves the right to substitute the form of security, in accordance with the Moreno Valley Municipal Code, at any time during the term of this agreement, subject to approval of the City Engineer and City Attorney.

SECOND: Developer agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California. Developer agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Developer fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Developer of the insufficiency of said bonds.

Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at any time during the term of this agreement, subject to approval by the City Engineer and City Attorney.

THIRD: Developer agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Developer further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Developer and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

FOURTH: To the furthest extent allowed by law, including California Civil Code Section 2782, Developer shall indemnify, hold harmless and defend City and each of its officers, officials, employees and agents from any and all claims, losses, liabilities, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including, but not limited to personal injury, death at any time and/or property damage) incurred by City or any other Person, and from any and all claims, demands and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of the performance of this Agreement, including but not limited to the alleged acts or omissions of any contractor, subcontractor, employee or agent acting on behalf of Developer or the design of any improvements to be constructed pursuant to this Agreement or the use of any patent or patented article in the performance of this Agreement.

Developer's obligations to indemnify and hold City harmless shall apply in all instances except those claims caused by the active negligence, sole negligence, or willful misconduct of City or any of its officers, officials, employees or agents. Developer's obligations to defend the City and provide a legal defense (including the retention of attorneys acceptable to City and all legal costs and expenses) shall apply in all instances, except those claims arising out of the sole negligence or the willful misconduct of City or any of its officers, officials, employees or agents.

If Developer retains any contractors to perform any of the Work to be performed under this Agreement, Developer shall require its contractors to indemnify, hold harmless and defend City and each of its officers, officials, employees and agents in accordance with the terms of the preceding paragraphs.

Developer's obligations under this section shall survive the completion of any work to be performed by Developer, the City's inspection and/or acceptance of any work performed by Developer, as well as the termination or expiration of this Agreement.

Developer's or Developer's contractors' provision of insurance, as required below, does not terminate, alter, limit or satisfy Developer's defense and indemnity obligations provided for herein.

FIFTH: Developer and Developer's contractors shall not commence work under this Agreement until Developer and all its contractors have obtained all insurance required under the Encroachment Permit Application.

If Developer retains any contractors to perform any of the Work under this Agreement, Developer shall require each contractor to provide insurance protection in favor of City, its officers, officials, employees and agents in accordance with the terms of the Agreement. Any contractor performing work on behalf of Developer shall likewise be required to name City, its officers, officials, employees and agents as additional insureds. Developer shall be responsible for obtaining all necessary certificates of insurance and endorsements from its contractors and submitting the same to the City before the commencement of any work.

At any time during the term of this Agreement, upon request of City, Developer shall immediately furnish City with complete copies of any insurance policy required of any of its contractors under this Agreement, including all endorsements, with said copy certified by the underwriter to be a true and correct copy of the original policy.

If at any time Developer is informed or made aware that any of its contractors have failed to obtain and/or maintain any insurance coverage or policy required under this Agreement, Developer shall cause all work being performed by the respective contractor to immediately stop and be discontinued until notice is provided to City by Developer that the required insurance has been obtained or restored to full force and effect and City determines that the premiums for the required or restored insurance has been paid for a period satisfactory to City.

Any insurance required of and provided by the Developer's contractors performing any Work under this Agreement shall not terminate, alter, limit or satisfy Developer's insurance requirements and defense and indemnity obligations set forth in this Agreement. Developer's duty to defend and indemnify City shall apply to all claims and liabilities, regardless of whether any of Developer's contractors' or subcontractors' insurance policies are applicable.

Developer shall be responsible for ensuring that its contractors comply with the provisions set forth in this paragraph. Any failure by Developer to comply with the provisions set forth herein shall be considered a material breach of the Agreement.

SIXTH The Developer hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Developer has completed the work within the time specified or any extension thereof granted by the City.

SEVENTH: Developer agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The Developer shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

EIGHTH: The Developer, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

NINTH: If the Developer, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Developer violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Developer because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Developer, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

TENTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time **may** be granted by the City from time to time, either at its own option, or upon request of Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including

any extensions of time as may be granted therein.

ELEVENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

TWELFTH: In the event legal action is required to enforce the terms of the Agreement, the prevailing party shall be entitled to recover attorney's fees and costs, including expert fees.

THIRTEENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

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

Developer:
KB Home Coastal, Inc.
36310 Inland Valley Drive
Suite #300
Wildomar, CA 92595

IN WITNESS WHEREOF Developer has affixed his name and address.

Date approved by the City: _____

KB Home Coastal, Inc.:

Developer

By: _____

Signature
Scott Hansen
Print/Type Name
VP, Forward Planning
Title

By: _____

Signature
Heidi McBreton
Print/Type Name
Director, Forward Planning
Title

CITY OF MORENO VALLEY

By: _____
City Engineer

**APPROVED AS TO FORM:
CITY ATTORNEY**

Date: _____

By: _____
City Attorney

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

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

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside }

On January 27, 2023 before me, Judith Mireles, Notary Public, personally appeared Scott Hansen, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Judith Mireles, Notary Public



(SEAL)

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside }

On January 27, 2023 before me, Judith Mireles, Notary Public, personally appeared Heidi McBroom, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Judith Mireles, Notary Public



(SEAL)

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

HMN

CITY OF MORENO VALLEY
LAND DEVELOPMENT DIVISION

PROJECT: Auburn (Moothart) - Offsite MAP / LOT: TR 32408 DATE: 8/18/2022

IMPROVEMENT TYPE		SUBTOTALS
STREET WORK / PAVEMENT	(Sheet 2 of 10)	\$888,000
OFF-SITE STREET WORK	(Sheet 3 of 10)	\$438,000
BONDABLE WORK ONLY	(Sheet 4 of 10)	\$2,000
MONUMENTS	(Sheet 4 of 10)	\$0
SPECIAL DISTRICTS	(Sheet 4 of 10)	\$54,000
MORENO VALLEY UTILITIES	(Sheet 4 of 10)	\$0
TRANSPORTATION IMPROVEMENTS	(Sheet 5 of 10)	\$93,000
TRAFFIC SIGNAL IMPROVEMENTS	(Sheet 5 of 10)	\$84,000
STORM DRAIN IMPROVEMENTS (City Maintained)	(Sheet 6-7 of 10)	\$184,000
STORM DRAIN IMPROVEMENTS (RCFC Maintained)	(Sheet 8 of 10)	\$0
PUBLIC SEWER IMPROVEMENTS	(Sheet 9 of 10)	\$0
PUBLIC WATER IMPROVEMENTS	(Sheet 10 of 10)	\$5,000
TOTAL COST (VALUE) OF IMPROVEMENTS =		\$1,748,000
+20% CONTINGENCY =		\$349,600
GRAND TOTAL =		\$2,097,600

FAITHFUL PERFORMANCE SECURITY AMOUNT = \$2,098,000

LABOR & MATERIAL SECURITY AMOUNT = \$1,049,000

* The cost for securing payment of Labor and Materials is fifty (50) percent of the total cost estimate of the improvements.

ENGINEER OF RECORD STATEMENT OF ESTIMATE WORKSHEET

The construction items and their quantities as shown on the attached worksheet are accurate for the construction of the improvements required or implied to fulfill the Conditions of Approval for this project. The mathematical extensions, using the City of Moreno Valley's Unit Prices, are accurate for determining Bond Amounts and Fees.



Kevin R. Gibson
RICK Engineering Company
Prepared By

August 18, 2022
Date Prepared

* * * PLEASE READ INSTRUCTIONS BELOW * * *

- Bond Amounts are shown to the nearest \$1,000.00 (Rounded Up)
- Quantities to be taken from and match the plans but are not intended to determine method of construction.
- For construction items not covered by this worksheet, the Engineer of Record is to provide his opinion of construction cost and use that unit cost. If City of Moreno Valley Unit Prices are determined to be too low in the opinion of the Engineer of Record, the higher cost as provided by the Engineer of Record should be used.

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

PROJECT: Auburn (Moothart) - Offsite

MAP/LOT:

TR 32408

DATE: 8/18/2022

STREET WORK / PAVEMENT

TYPE	QTY	UNIT	UNIT PRICE	TOTAL COST
Enter the pavement section per individual street or grouped by classification				
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II	1.00	Thickness (ft.)		\$
Moreno Beach Drive	61,850.00	S.F.	\$60.00	\$ 3,711,000
Asphalt Concrete (A.C.)	0.50	Thickness (ft.)	\$90.00	\$ 45,900
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		762 Ton	\$110.00	\$ 83,820
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II	0.75	Thickness (ft.)		\$
Cottonwood Avenue	42,300.00	S.F.	\$60.00	\$ 2,538,000
Asphalt Concrete (A.C.)	0.45	Thickness (ft.)	\$90.00	\$ 40,050
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		521 Ton	\$110.00	\$ 57,310
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II	1.00	Thickness (ft.)		\$
Hay Avenue	1,550.00	S.F.	\$60.00	\$ 92,900
Asphalt Concrete (A.C.)	0.50	Thickness (ft.)	\$90.00	\$ 45,000
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		19 Ton	\$110.00	\$ 2,090
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$
Roadway Excavation		C.Y.	\$30.00	\$
Aggregate Base (A.B.) Class II		Thickness (ft.)		\$
		S.F.	\$60.00	\$
Asphalt Concrete (A.C.)		Thickness (ft.)	\$90.00	\$
Asphalt Rubberized Hot Mix (ARHM) - 2" min. Cap		0 Ton	\$110.00	\$

SUBTOTAL = \$ 888,000

PROJECT: Auburn (Moothart) - Offsite **MAP/LOT:** TR 32408 **DATE:** 8/18/2022

OFF-SITE STREET WORK

TYPE	QTY	UNIT	UNIT PRICE	TOTAL COST
PAVEMENT				
Grind & Pave Existing Pavement (2" min.)	5,040	S. F.	\$3.25	\$ 16,380.00
Asphalt Concrete (A.C.) Cap / Overlay		Ton	\$90.00	\$
Asphalt Concrete (A.C.) Berm/Curb - 6" (per MVS1-124)		L. F.	\$14.00	\$
Asphalt Concrete (A.C.) Berm/Curb - 8" (per MVS1-124)	1,130	L. F.	\$16.00	\$ 18,080.00
Remove Existing Asphalt Concrete (A.C.) Berm/Curb/Dike	3,800	L. F.	\$3.50	\$ 13,300.00
Asphalt Rubberized Hot Mix (ARHM) Cap / Overlay		Ton	\$110.00	\$
Rubberized Emulsion-Aggregate Slurry (REAS) Seal - Type I (Local only)		S. Y.	\$7.50	\$
Rubberized Emulsion-Aggregate Slurry (REAS) Seal - Type II (Collector +)		S. Y.	\$8.00	\$
Paving Fabric		S. Y.	\$3.00	\$
Sawcut	840	L. F.	\$4.50	\$ 3,780.00
Utility Trench (per MVS1-132 Series)		L. F.	\$17.00	\$
Trench Repaving (per MVS1-132 Series)		S. F.	\$14.00	\$
Remove / Dispose Existing Pavement / Base		S. F.	\$3.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$

CONCRETE				
Portland Cement Concrete (P.C.C.) Paving - 6"		S. F.	\$20.00	\$
Portland Cement Concrete (P.C.C.) Paving - 8"		S. F.	\$25.00	\$
Curb & Gutter - 6" (per MVS1-120A)		L. F.	\$25.00	\$
Curb & Gutter - 8" (per MVS1-120B)	2,372	L. F.	\$30.00	\$ 71,160.00
Curb Only - 6" (per MVS1-121A)		L. F.	\$20.00	\$
Curb Only - 8" (per MVS1-121B)		L. F.	\$25.00	\$
Remove Existing Curb & Gutter		L. F.	\$8.00	\$
Cross Gutter & Spandrel (per MVS1-127)	2,915	S. F.	\$13.00	\$ 37,895.00
Remove Cross Gutter & Spandrel	150	S. F.	\$8.00	\$ 1,200.00
Sidewalk (per MVS1-115 Series)	9,480	S. F.	\$10.00	\$ 94,800.00
Remove Existing Sidewalk		S. F.	\$8.00	\$
Driveway Approach - 6" (per MVS1-111 Series)	780	S. F.	\$13.00	\$ 10,140.00
Driveway Approach - 8" (per MVS1-112 Series)		S. F.	\$15.00	\$
Remove Existing Driveway		S. F.	\$8.00	\$
Access (Wheelchair) Ramp - Type 1 (per MVS1-114A)	1	EA	\$2,600.00	\$ 2,600.00
Access (Wheelchair) Ramp - Type 2 (per MVS1-114B)		EA	\$2,750.00	\$
Alley Approach - 8" (per MVS1-113)		S. F.	\$10.25	\$
Alley Apron - 1/2		S. F.	\$10.25	\$
Bus Turnout (per MVS1-161)		EA	\$15,000.00	\$
1' Wide Curb Cut, 100' O.C.	7	EA	\$50.00	\$ 350.00
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$

MEDIAN - per MVS1-140 thru 147				
Sawcut		L. F.	\$4.50	\$
Remove / Dispose Existing Pavement / Base		S. F.	\$3.00	\$
Portland Cement Concrete (P.C.C.) Paving - 8"		S. F.	\$25.00	\$
Curb Only - 8" (per MVS1-121B)	1,445	L. F.	\$30.00	\$ 43,350.00
Remove Existing Asphalt Concrete (A.C.) Berm/Curb/Dike		L. F.	\$3.50	\$
Median Stamped Concrete (per MVS1-142 Series)	2,460	S. F.	\$14.00	\$ 34,440.00
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$

SUBTOTAL = \$ 347,475.00

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

HMN

PROJECT: Auburn (Moothart) - Offsite MAP/LOT: TR 32408 DATE: 8/18/2022

OFF-SITE STREET WORK (Continued)

T Y P E	QTY	UNIT	UNIT PRICE	TOTAL COST
MISCELLANEOUS				
Relocate Power Poles	3	EA	\$30,000.00	\$ 90,000.00
Relocate Street Light		EA	\$6,000.00	\$
Chain Link Fence (6' typ.)		L. F.	\$16.00	\$
Remove Chain Link Fence		L. F.	\$9.00	\$
Walls - Masonry (6' Max.)		L. F.	\$100.00	\$
Walls - Masonry Retaining (6' Max.)		L. F.	\$150.00	\$
Walls - Reinforced P. C. C. Retaining (6' Max.)		C Y	\$780.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$
			\$0.00	\$

SUBTOTAL = \$ 90,000.00

BONDABLE STREET WORK ONLY (Inspected Only, not Plan Checked)

Monuments (per MVSI-170 Series)		EA	\$300.00	\$
Underground of Utilities (per MVSI-180 thru 183 Series)		L. F.	\$207.00	\$
Cluster Mail Boxes (per MVSI-117B)	1	EA	\$4,500.00	\$
Relocate Mailbox	2	EA	\$350.00	\$ 700.00
Relocate Cluster Mailbox	1	EA	\$1,200.00	\$ 1,200.00
Street Tree (per MVSI-118 Series & MVSI-119)		EA	\$300.00	\$
Street Tree Removal (6" Dia. or Larger)		EA	\$1,000.00	\$
Street Tree Relocate		EA	\$2,500.00	\$

SUBTOTAL = \$ 1,900.00

SPECIAL DISTRICTS - per MVL-500 thru 582 Series

Landscaping & Irrigation - Medians / Parkway / Open Space		S. F.	\$6.00	\$
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STREET LIGHTS

31w LED or Equivalent [3,800 Lumens] (per MVLT-400A)		EA	\$8,500.00	\$
98w LED or Equivalent [11,500 Lumens] (per MVLT-400B / C)	9	EA	\$6,000.00	\$ 54,000.00
100w LED or Equivalent		EA	\$5,000.00	\$
145w LED or Equivalent		EA	\$5,000.00	\$

STREET LIGHT SUBTOTAL = \$ 54,000.00

MORENO VALLEY UTILITIES (M.V.U.) - please contact MVU to complete this section.

Structures		EA	\$0.00	\$
Transformers		EA	\$0.00	\$
Meters		EA	\$0.00	\$
Cable		L. F.	\$0.00	\$
Conduit		L. F.	\$0.00	\$

M.V.U. SUBTOTAL = \$

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

PROJECT: Auburn (Moothart) - Offsite **MAP/LOT:** TR 32408 **DATE:** 8/18/2022

TRANSPORTATION IMPROVEMENTS

TYPE	QTY	UNIT	UNIT PRICE	TOTAL COST
Plan checked by Transportation / Inspected by Land Development				
Striping - per MVL-430 thru 440 Series				
6" Painted Broken Stripes	660	L. F.	\$1.10	\$ 726.00
6" Painted Double Solid Stripes	2,225	L. F.	\$1.10	\$ 2,447.50
6" Painted Solid Stripes	1,710	L. F.	\$1.10	\$ 1,881.00
6" Painted Bike Lane Stripes	1,840	L. F.	\$1.10	\$ 2,024.00
8" Painted Solid Stripes		L. F.	\$1.25	
12" Painted Solid Stripes		L. F.	\$3.00	
Painted Curb Markings (2 coat)		L. F.	\$2.25	
Painted One-Way (No Passing)		L. F.	\$1.00	
Painted Two-Way Left-Turn Lane		L. F.	\$1.00	
Painted Pavement Markings		S. F.	\$2.50	
Remove Painted Striping & Pavement Markings		S. F.	\$3.00	
4" Thermoplastic Traffic Stripes		S. F.	\$4.00	
6" Thermoplastic Traffic Stripes		S. F.	\$4.00	
8" Thermoplastic Channelizing Line	540	S. F.	\$4.00	\$ 2,160.00
12" Thermoplastic Crosswalk / Limit Line	160	S. F.	\$4.00	\$ 640.00
Thermoplastic Pavement Markings	1,260	S. F.	\$4.00	\$ 5,040.00
Remove Thermoplastic Striping & Pavement Markings	3,826	S. F.	\$5.00	\$ 19,130.00
Reflective Pavement Markers (RPM's)	272	EA	\$4.00	\$ 1,088.00
Remove Reflective Pavement Markers (RPM's)		EA	\$3.00	
Delineator - Class 1 / Type F (per MVL-418 Series)		EA	\$50.00	
Delineator - Class 2 (per MVL-418 Series)		EA	\$75.00	
			\$0.00	
			\$0.00	

Signs - per MVL-410 thru 414 Series				
Street Name Sign w/ Post		EA	\$275.00	
Stop Sign w/ Post		EA	\$300.00	
Sign w/ One Post	26	EA	\$300.00	\$ 7,800.00
Sign w/ Two Post		EA	\$400.00	
Sign (Strap & Saddle Bracket Method)		EA	\$200.00	
Sign (Mast Arm Hanger Method)		EA	\$550.00	
Street Sweeping Sign		EA	\$200.00	
Channelizer		EA	\$100.00	
Object Markers - Type "L" / Type "N" (per MVL-417)		EA	\$100.00	
Remove Roadside Sign	8	EA	\$100.00	\$ 800.00
Relocate Roadside Sign	4	EA	\$150.00	\$ 600.00
			\$0.00	
			\$0.00	

Miscellaneous				
Traffic Control (for local streets only)		Lump Sum	\$1,000.00	
Traffic Control (for collector streets only)		Lump Sum	\$5,000.00	\$ 5,000.00
Traffic Control (for arterial streets only)		Lump Sum	\$28,000.00	\$ 28,000.00
Metal Guardrail		EA	\$90.00	
Barricade		L. F.	\$100.00	
Remove Barricade		L. F.	\$25.00	
Guardrail per Caltrans A77R3	154	LF	\$100.00	\$ 15,400.00
			\$0.00	

SUBTOTAL = \$ 92,736.50

Plan checked and inspected by Transportation				
Signals				
New (includes communication conduit, controller, software, initial coordination)		EA	\$292,600.00	
Modification (per corner)		EA	\$73,150.00	
Communication Conduit	2,800	L. F.	\$30.00	\$ 84,000.00
Fiber Optic Cable - 6 Strand Single Mode		L. F.	\$3.00	
Fiber Optic Cable - 12 Strand Single Mode		L. F.	\$3.00	
LED Speed Display Sign w/ Assembly		EA	\$9,500.00	
Pull Box (#5)		EA	\$500.00	
Pull Box (#6)		EA	\$750.00	
Pull Box (#6E)		EA	\$1,000.00	
Signal Loops (6' Round Type E)		EA	\$900.00	
Signal Loops (6' Square Type E - w/ bike detection zone)		EA	\$900.00	
Adjust Pull Box to Grade		EA	\$800.00	
			\$0.00	
			\$0.00	

TRAFFIC SIGNAL SUBTOTAL = \$ 84,000.00

PROJECT: Auburn (Moothart) - Offsite

MAP/LOT:

TR 32408

DATE: 8/18/2022

STORM DRAIN IMPROVEMENTS [RCFC Maintained]

TYPE	QTY	UNIT	UNIT PRICE	TOTAL COST
PIPES				
39" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$200.00	\$
42" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$215.00	\$
48" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$248.00	\$
54" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$288.00	\$
60" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$378.00	\$
66" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$444.00	\$
72" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$501.00	\$
78" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$653.00	\$
84" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$722.00	\$
90" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$846.00	\$
96" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$886.00	\$
102" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$927.00	\$
108" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$979.00	\$
114" Reinforced Concrete (R.C.P.) Pipe		L. F.	\$1,038.00	\$
Reinforced Concrete Box (R.C.B.) - 8' x 10'		L. F.	\$1,200.00	\$
Reinforced Concrete Box (R.C.B.) - 8' x 12'		L. F.	\$1,400.00	\$
Reinforced Concrete Box (R.C.B.) - 4' x 3' (2)		L. F.	\$600.00	\$
Reinforced Concrete Box (R.C.B.) - 4' x 2' (3)		L. F.	\$461.00	\$
Remove Existing Pipe		L. F.	\$50.00	\$
			\$0.00	\$
			\$0.00	\$
MANHOLES				
Manhole No. 1 [per RCFC Std. MH251 - for pipes 33" or smaller]		EA	\$7,850.00	\$
Manhole No. 2 [per RCFC Std. MH252 - for pipes 36" or larger]		EA	\$7,850.00	\$
Manhole No. 3 [per RCFC Std. MH253 - for all R.C.B.'s]		EA	\$5,300.00	\$
Manhole No. 4 [per RCFC Std. MH254 - for pipes 36" or larger w/ side inlet]		EA	\$7,850.00	\$
Adjust Manhole (MH) to Grade		EA	\$600.00	\$
			\$0.00	\$
			\$0.00	\$
BASINS				
Catch Basin - Grated		EA	\$6,000.00	\$
Catch Basin (7') [per RCFC Std. CB-100]		EA	\$3,920.00	\$
Catch Basin (10') [per RCFC Std. CB-100]		EA	\$5,600.00	\$
Catch Basin (14') [per RCFC Std. CB-100]		EA	\$7,850.00	\$
Catch Basin (21') [per RCFC Std. CB-100]		EA	\$11,760.00	\$
Catch Basin (28') [per RCFC Std. CB-100]		EA	\$15,680.00	\$
Local Depression [per RCFC Std. LD201]		EA	\$535.00	\$
Remove / Relocate Existing Catch Basin		EA	\$5,000.00	\$
			\$0.00	\$
			\$0.00	\$
DRAINS				
Concrete "V" Gutter		S. F.	\$25.00	\$
Down Drain		S. F.	\$12.00	\$
Terrace Drain		S. F.	\$13.00	\$
			\$0.00	\$
			\$0.00	\$
STRUCTURES				
Transition Structure #1 [RCFC Std. TS301 - Single Pipe to Single Box]		EA	\$12,900.00	\$
Transition Structure #2 [RCFC Std. TS302 - Single Box to Single Box]		EA	\$12,900.00	\$
Transition Structure #3 [RCFC Std. TS303 - Pipe to Pipe w/ Pipe Junction]		EA	\$12,900.00	\$
Junction Structure #1 [RCFC Std. JS226 - 33" or larger Side Inlet to Box]		EA	\$4,800.00	\$
Junction Structure #2 [RCFC Std. JS227 - Side Inlet larger than 1/2 O.D. Pipe]		EA	\$4,800.00	\$
Junction Structure #3 [RCFC Std. JS228 - 30" or smaller Side Inlet to Box]		EA	\$4,800.00	\$
Junction Structure #4 [RCFC Std. JS229 - 24" or smaller Side Inlet to Pipe]		EA	\$4,800.00	\$
Junction Structure #6 / #7 [RCFC Std. JS231/232 - Side Inlet to Channel]		EA	\$4,800.00	\$
Type IX Inlet Structure [RCFC Std. CB-107 - Checkered Covered Plate]		EA	\$2,660.00	\$
Type X Inlet Structure [RCFC Std. CB-108 - Gate]		EA	\$2,660.00	\$
Concrete Drop Inlet Structure [per RCFC Std. CB-110]		EA	\$4,500.00	\$
Outlet Structure		EA	\$8,000.00	\$
Concrete Collar (greater than 36") [per RCFC Std. M803 - up to 66"]		EA	\$5,000.00	\$
Concrete Headwall		EA	\$7,000.00	\$
Concrete Bulkhead [per RCFC Std. M816]		EA	\$1,550.00	\$
Remove Existing Outlet / Headwall		EA	\$1,000.00	\$
Reinforced Concrete Structure		L. F.	\$530.00	\$
			\$0.00	\$
			\$0.00	\$
MISCELLANEOUS				
Rip Rap		Ton	\$152.00	\$
Rip Rap (Grouted)		Ton	\$285.00	\$
Concrete Pipe Slope Anchor		EA	\$2,500.00	\$
Access Opening		EA	\$15,000.00	\$
			\$0.00	\$
			\$0.00	\$

SUBTOTAL = \$ -

SUBTOTAL =

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

PROJECT: Auburn (Moothart) - Offsite MAP/LOT: TR 32408 DATE: 8/18/2022

PUBLIC WATER IMPROVEMENTS

TYPE	QTY	UNIT	UNIT PRICE	TOTAL COST
PIPE				
CML&C CL150 - 8"		L. F.	\$50.00	
CML&C CL150 - 8" Drop		L. F.	\$130.00	
CML&C CL150 - 12"		L. F.	\$60.00	
CML&C CL150 - 12" Drop		L. F.	\$170.00	
CML&C CL150 - 16"		L. F.	\$105.00	
CML&C CL150 - 16" Drop		L. F.	\$185.00	
CML&C CL150 - 18"		L. F.	\$120.00	
CML&C CL150 - 18" Drop		L. F.	\$215.00	
CML&C CL150 - 20"		L. F.	\$135.00	
CML&C CL150 - 20" Drop		L. F.	\$240.00	
CML&C CL150 - 24"		L. F.	\$150.00	
CML&C CL150 - 24" Drop		L. F.	\$290.00	
Join at Existing - 8"		EA	\$2,000.00	
Join at Existing - 12"		EA	\$2,500.00	
Join at Existing - 16"		EA	\$3,500.00	
Join at Existing - 18"		EA	\$4,000.00	
Join at Existing - 24"		EA	\$5,000.00	
PVC C-900 - 12"		L. F.	\$60.00	
PVC C-905 - 16"		L. F.	\$90.00	
PVC C-905 - 18"		L. F.	\$105.00	
PVC C-905 - 20"		L. F.	\$120.00	
PVC C-905 - 24"		L. F.	\$135.00	
			\$0.00	
			\$0.00	
VALVES				
Adjust Water Valve to Grade		EA	\$400.00	
Air Vac Release - 1"		EA	\$2,600.00	
Air Vac Release - 2"		EA	\$4,300.00	
Backflow Preventer - 3/4" to 2" (including Pad & Cover)		EA	\$4,300.00	
Backflow Preventer - 2-1/2" to 3" (including Pad & Cover)		EA	\$5,300.00	
Backflow Preventer - 4" to 10" (including Pad & Cover)		EA	\$6,450.00	
Blow Off Valve - 4"		EA	\$3,500.00	
Blow Off Valve - 6"		EA	\$4,000.00	
Butterfly Valve - 8"		EA	\$1,000.00	
Butterfly Valve - 12"		EA	\$1,800.00	
Butterfly Valve - 16"		EA	\$2,700.00	
Butterfly Valve - 18"		EA	\$2,800.00	
Butterfly Valve - 20"		EA	\$4,200.00	
Butterfly Valve - 24"		EA	\$5,200.00	
Gate Valve - 8"		EA	\$1,700.00	
Gate Valve - 12"		EA	\$3,000.00	
Gate Valve - 16"		EA	\$6,300.00	
Gate Valve - 18"		EA	\$14,000.00	
			\$0.00	
FIRE HYDRANTS				
6" Hydrant - Standard		EA	\$4,500.00	
6" Hydrant - Super		EA	\$5,000.00	
HOT TAP CONNECTIONS				
8"		EA	\$5,000.00	
12"		EA	\$6,000.00	
Service Clamp - 1"		EA	\$2,000.00	
Service Clamp - 1-1/2"		EA	\$2,300.00	
Service Clamp - 2"		EA	\$2,600.00	
			\$0.00	
SERVICE CONNECTIONS				
1" Service		EA	\$1,000.00	
1-1/2" Service		EA	\$1,600.00	
2" Service		EA	\$2,500.00	
4" Service		EA	\$6,000.00	
FITTINGS				
Misc. Fittings - 8"		EA	\$250.00	
Misc. Fittings - 12"		EA	\$750.00	
WATER METERS				
5/8" / 3/4"		EA	\$2,500.00	
1"		EA	\$2,500.00	
1-1/2"		EA	\$2,500.00	
2" (Multi-Jet)		EA	\$2,500.00	
2" (C2 - Compound)		EA	\$1,322.00	
2" (T2 / R2 - Turbine)		EA	\$1,322.00	
Adjust Water Meter Box to Grade		EA	\$375.00	
MISCELLANEOUS				
Concrete Cap - 8" / 12"		EA	\$55.00	
Thrust Block		C. Y.	\$150.00	
Trench Paving		S. F.	\$14.00	
Relocate Existing Water Meter and Backflow		EA	\$5,000.00	
			\$0.00	
			SUBTOTAL =	5,000.00

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements \$ 2,098,000.00

Project No. PEN19-0168 (TR 32408) Offsite

Bond No. 7901110364
(Faithful Performance Bond No. shall be different from Material & Labor Bond No.)

Premium \$12,588.00

Surety Nationwide Mutual Insurance Company

Principal KB HOME COASTAL, INC.

Address One Nationwide Blvd.

Address 36310 Inland Valley Drive
Suite #300

City/Zip Columbus, OH 43215-2220

City/Zip Wildomar, CA 92595

WHEREAS, the City of Moreno Valley, County of Riverside, State of California, and KB HOME COASTAL, INC., (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to PEN19-0168 (TR 32408) Offsite, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Nationwide Mutual Insurance Company, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of TWO MILLION NINETY-EIGHT THOUSAND Dollars (**\$2,098,000.00**), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his or its heirs, executors, administrators, successors, or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided on his or their part, to be kept and performed at the time and in the manner specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

FAITHFUL PERFORMANCE BOND
PROJECT NO. PEN19-0168 (TR 32408) Offsite

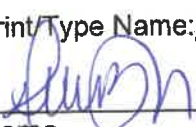
The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Engineer will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

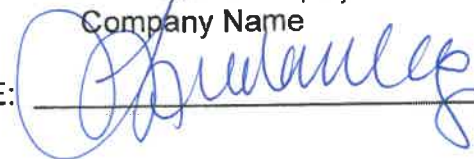
IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on January 24, 2023.

NAME OF PRINCIPAL: **KB HOME COASTAL, INC.**
Company Name

AUTHORIZED SIGNATURE(S): By

Name	Title
Print/Type Name: <u>HEIDI McBRIDE</u>	
	<u>DIRECTOR, FORWARD PLANNING</u>
Name	Title
Print/Type Name: _____	

NAME OF SURETY: Nationwide Mutual Insurance Company
Company Name

AUTHORIZED SIGNATURE:  _____
Brenda Wong, VP
ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:
Date: _____

City Attorney
City of Moreno Valley

W:\MANAGEMENT ANALYST\Agreement Bond Packets\2023\PEN19-0168 (TR 32408 Offsite - Auburn\Faithful Performance Bond - PEN19-0168 (TR 32408) Offsite.docx

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside }

On January 27, 2023 before me, Judith Mireles, Notary Public, personally appeared Heidi McBroom, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Judith Mireles, Notary Public



(SEAL)

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE §1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 1/21/2023 before me, M.Gonzales, Notary Public, personally appeared Brenda Wong who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

(seal)

Signature M. Gonzales
M.Gonzales, Notary Public



Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:

BRENDA WONG; KATHY R MAIR; MARTHA GONZALES; MECHELLE LARKIN; MY HUA; REGINA RANGEL; TENZER V CUNNINGHAM;

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

UNLIMITED

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 20th day of August, 2021.

[Handwritten Signature]

Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company

ACKNOWLEDGMENT

STATE OF NEW YORK COUNTY OF NEW YORK: ss

On this 20th day of August, 2021, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.



Stephanie Rubino McArthur
Notary Public, State of New York
No. 02MC6270117
Qualified in New York County
Commission Expires October 19, 2024

[Handwritten Signature]

Notary Public
My Commission Expires
October 19, 2024

CERTIFICATE

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 29 day of January, 2023.

[Handwritten Signature]

Assistant Secretary

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements \$ 1,049,000.00

Project No. PEN19-0168 (TR 32408) Offsite

Bond No. 7901110364
(Material & Labor Bond No. shall be different from Faithful Performance Bond No.)

Premium Included in Performance Bond

Surety Nationwide Mutual Insurance Company

Principal KB HOME COASTAL INC.

Address One Nationwide Blvd.

Address 36310 Inland Valley Drive
Suite #300

City/Zip Columbus, OH 43215-2220

City/Zip Wildomar, CA 92595

WHEREAS, the City of Moreno Valley, County of Riverside, State of California, and KB HOME COASTAL, INC., (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to PEN19-0168 (TR 32408) Offsite, which agreement is hereby referred to and made a part hereof, and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of ONE MILLION FORTY-NINE THOUSAND Dollars (\$1,049,000.00), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

MATERIAL AND LABOR BOND
PROJECT NO. PEN19-0168 (TR 32408) Offsite

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on
January 24, 2023.

NAME OF PRINCIPAL: KB HOME COASTAL, INC.
Company Name

AUTHORIZED SIGNATURE(S): By [Signature] Director, Forewarned PLANN
Name Title

Print/Type Name: HENRI MCBROOM

Name Title

Print/Type Name: _____

NAME OF SURETY: Nationwide Mutual Insurance Company
Company Name

AUTHORIZED SIGNATURE: [Signature] Brenda Wong, VP
ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\MANAGEMENT ANALYST\Agreement Bond Packets\2023\PEN19-0168 (TR 32408 Offsite - Auburn\Material & Labor Bond - PEN19-0168 (TR 32408) Offsite.docx

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) – ACCEPT DEVELOPMENT IMPACT FEE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Riverside }

On January 27, 2023 before me, Judith Mireles, Notary Public, personally appeared Heidi McBroom, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.



Judith Mireles, Notary Public



(SEAL)

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE §1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

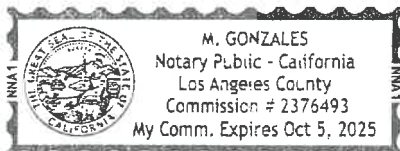
On 1/24/2023 before me, M.Gonzales, Notary Public, personally appeared Brenda Wong who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

(seal)

Signature M. Gonzales
M.Gonzales, Notary Public



Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint: BRENDA WONG; KATHY R MAIR; MARTHA GONZALES; MECHELLE LARKIN; MY HUA; REGINA RANGEL; TENZER V CUNNINGHAM;

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

UNLIMITED

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 20th day of August, 2021.

[Handwritten Signature]

Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company

ACKNOWLEDGMENT

STATE OF NEW YORK COUNTY OF NEW YORK: ss

On this 20th day of August, 2021, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.



Stephanie Rubino McArthur
Notary Public, State of New York
No. 02MC6270117
Qualified in New York County
Commission Expires October 19, 2024

[Handwritten Signature]

Notary Public
My Commission Expires
October 19, 2024

CERTIFICATE

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 24 day of

January 2022

[Handwritten Signature]

Assistant Secretary

EXHIBIT "B"

**ENGINEER'S ESTIMATE OF DIF IMPROVEMENTS
MORENO BEACH DRIVE**

CONSTRUCTION ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL	
Roadway Excavation	1,765	C.Y.	30.20	53,303	
Aggregate Base Class II					
Thickness (ft.)	1				
Area (sf)	17,337	642	C.Y.	47.23	30,322
Asphalt Concrete					
Thickness (ft.)	0.5				
Area (sf)	17,337	628	Ton	91.53	57,481
Curb and Gutter - 8"	139	L.F.	459.40	63,857	
Median Curb Type 8A	47	C.Y.	459.40	21,592	
Sidewalk-6'	73	C.Y.	696.55	50,848	
Striping	2,326	L.F.	8.90	20,701	
Signs	1	L.S.	3,300	3,300	
Street Light	5	EA.	8,500	42,500	
Traffic Control	1	L.S.	28,000	28,000	
			TOTAL	\$ 371,903	

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

EXHIBIT "B"

EXHIBIT "B"

**ENGINEER'S ESTIMATE OF DIF IMPROVEMENTS
COTTONWOOD AVENUE**

CONSTRUCTION ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL	
Roadway Excavation	972	C.Y.	30.20	29,354	
Aggregate Base Class II					
Thickness (ft.)	1				
Area (sf)	20,230	562	C.Y.	47.23	26,543
Asphalt Concrete					
Thickness (ft.)	0.45				
Area (sf)	20,230	660	Ton	91.53	60,410
Curb and Gutter - 8"	50	L.F.	459.40	22,970	
Sidewalk-6'	61	C.Y.	696.55	42,141	
Striping	1,200	L.F.	8.90	10,680	
Signs	1	L.S.	2,100	2,100	
Street Light	4	EA.	8,500	34,000	
Traffic Control	1	L.S.	5,000	5,000	
TOTAL				\$ 233,199	

EXHIBIT "B"

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

EXHIBIT "B"

**ENGINEER'S ESTIMATE OF DIF IMPROVEMENTS
MORENO BEACH DR/BAY AVENUE**

CONSTRUCTION ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
Traffic Signal	1	L.S.	\$274,100	\$274,100
			TOTAL	\$ 274,100

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) - ACCEPT DEVELOPMENT IMPACT FEE

EXHIBIT "B"

EXHIBIT “C” – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community/ Rec Centers	Public Facilities*	Interchange Improvements	Electric Utility
1	Engineer’s Estimate	\$605,102	\$274,100	\$	\$	\$	\$	\$	\$	\$	
2	Project costs as identified in DIF study	\$1,363,059	\$274,100	\$	\$	\$	\$	\$	\$	\$	
3	Actual DIF Obligation	\$275,633	\$58,344	\$	\$	\$	\$	\$	\$	\$	
4	Developer’s Credit Amount** - Least of Lines 1 2 & 3	\$275,633	\$58,344	\$	\$	\$	\$	\$	\$	\$	

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

**credit amount shall not exceed obligation.

EXHIBIT “C”

Attachment: DIF Credit Agreement #D23-001 - PEN19-0168 (TR 32408) (6081 : PEN19-0168 (TR 32408) –



Report to City Council

TO: Mayor and City Council

FROM: Melissa Walker, Public Work Director/City Engineer

AGENDA DATE: February 21, 2023

TITLE: APPROVE AND EXECUTE THE AGREEMENT WITH ACCO ENGINEERED SYSTEMS, INC., FOURTH AMENDMENT WITH IMEG CORPORATION FOR THE PUBLIC SAFETY BUILDING HVAC REPLACEMENT PROJECT 803 0053 AND BUDGET APPROPRIATION

RECOMMENDED ACTION

Recommendations:

1. Approve the Agreement for the Public Safety Building HVAC Replacement Project No. 803 0053 with Acco Engineered Systems, Inc, the lowest responsible bidder, and the Fourth Amendment with IMEG Corporation for Design and Construction Support Services, funded through Facility Construction (Fund 3000), Facilities Replacement Reserve (Fund 7330), and Equipment Replacement Reserve (Fund 7510);
2. Authorize the City Manager to execute the Agreement for the Public Safety Building HVAC Replacement with Acco Engineered Systems, Inc. and Fourth Amendment for Design and Construction Support Services with IMEG Corp; and issuance of the Purchase Orders for completion after the Agreement and Amendment have been fully executed;
3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreements within the authorized funding, subject to the approval of the City Attorney; and
4. Approve Budget Adjustments as contained in the Fiscal Impact section of this report.

SUMMARY

This report recommends approval of the Agreement with Acco Engineered Systems, Inc.

and the Fourth Amendment with IMEG Corporation for The HVAC Replacement Project at the Public Safety Building. The project is funded through the Facility Construction (Fund 3000), Facilities Replacement Reserve (Fund 7330), and Equipment Replacement Reserve (Fund 7510) as recommended in the Fiscal Impact.

DISCUSSION

The HVAC Replacement Project No. 803 0053 as proposed in this report consists of replacement of (2) 70-ton HVAC (heating, ventilation, and air conditioning) units, 45 VAVs (variable air volume boxes), and upgrading of the building EMS controls (energy management system). The existing systems have exceeded its useful life.

The HVAC Replacement Project was advertised for proposals on October 4, 2022, and formal bidding procedures were followed in conformance with the Public Contract Code. Proposals were received via our electronic bid management system, Planet Bids, on December 7, 2022.

Staff reviewed the bid proposals and found Acco Engineered Systems, Inc. to be the most qualified responsible bidder in possession of valid licenses, certifications, and ample knowledge with cost within the expected amount. No outstanding issues were identified through review of the references submitted by the bidder. All bidders have been notified by a Notice of Intent to Award letter.

Staff is recommending awarding the project in the amount of \$1,788,435.00 and authorization of a 20% contingency in the amount of \$357,687 to account for any latent or unforeseen circumstances encountered during the HVAC replacement project.

On October 10, 2019, staff issued a Request for Proposals for engineering design and construction support services for the Public Safety Building HVAC Replacement project. Proposals were received via our electronic bid management system, Planet Bids, on November 4, 2019. Staff reviewed the proposals and selected IMEG Corporation as the highest rated bidder.

The City entered into an agreement with IMEG Corporation on April 7, 2020 for engineering design and construction support services. Approval of the Fourth Amendment to the Agreement will allow for an increase of \$27,895 for additional construction support services to the existing contract for a total amount of \$100,000 to complete the above-mentioned project.

Approval with this project as presented will provide the necessary HVAC replacement and upgrade to the Public Safety Building.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this alternative as it will allow for timely completion of the Public Safety Building HVAC Replacement.*

2. Elect not to approve and authorize the recommended actions as presented in this staff report, and provide further direction to staff. *Staff does not recommend this alternative as it will delay completion of the Public Safety Building HVAC Replacement.*

FISCAL IMPACT

There is no impact to the General Fund. The total cost of the Public Safety Building HVAC Replacement project is \$2,247,322 of which, \$1,500,000 has already been appropriated (\$1,000,000 from Fund 7510 and \$500,000 from Fund 7330). The remaining project balance of \$747,322 is available in Facilities Replacement Reserve (Fund 7330).

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 22/23 Budget	Proposed Adjustments	FY 22/23 Amended Budget
Transfer To	Facilities Replacement Reserve	7330-99-99-97330-903000	Exp	\$808,705	\$747,322	\$1,556,027
Transfer In	Facility Construction	3000-99-99-93000-807330	Rev	\$808,705	\$747,322	\$1,556,207
CIP	Facility Construction	3000-70-40-80003-720199 803 0053-3000-99	Exp	\$1,499,495	\$747,322	\$2,246,817

NOTIFICATION

Posting of the Agenda

PREPARATION OF STAFF REPORT

Prepared By:
Tyler Smith
Management Analyst

Department Head Approval:
Melissa Walker
Public Works Director / City Engineer

Concurred By:
Joseph Mattox
Maintenance & Operations 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.

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

To view large attachments, please click your “bookmarks”



on the left hand side of this document for the necessary attachment.

- 1. Fourth Amendment to Agreement - IMEG CORP
- 2. Project 803 0053 Public Safety Building HVAC Replacement

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 7:31 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:22 AM

**FOURTH AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES**

The Fourth Amendment to Agreement is by and between the CITY OF MORENO VALLEY, a municipal corporation, hereinafter referred to as “City,” and IMEG Corp, a Delaware Corporation, hereinafter referred to as “Consultant.” This Forth 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 PROFESSIONAL CONSULTANT SERVICES WITH IMEG CORP FOR THE HVAC SYSTEM REPLACEMENT FOR THE CITY OF MORENO VALLEY PUBLIC SAFETY BUILDING (PSB)”, hereinafter referred to as “Agreement,” dated April 7, 2020.

Whereas, the City and Consultant entered into the First Amendment to expand the scope of work to be performed.

Whereas, the First Amendment did not expand the Agreement termination date of June 30, 2021.

Whereas, the Second Amendment extended the Agreement termination date of June 30, 2021 to June 30, 2022.

Whereas, the Third Amendment extended the Agreement termination date of June 30, 2021 to June 30, 2024.

Whereas, the City and Consultant desire to increase the Consultant’s “Not-to-Exceed” fee as is more particularly described in Section 1 of this Fourth Amendment.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The City agrees to pay the Consultant and the Consultant agrees to receive a “Not-to-Exceed” fee of \$100,000, as set forth in this Fourth Amendment.

Attachment: Fourth Amendment to Agreement - IMEG CORP (5916 : APPROVE THE AGREEMENT, AMENDMENT, AND BUDGET

FOURTH AMENDMENT TO AGREEMENT FOR
ON-SITE AND/OR PROFESSIONAL SERVICES

SECTION 2

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

SIGNATURE PAGE TO FOLLOW

Attachment: Fourth Amendment to Agreement - IMEG CORP (5916 : APPROVE THE AGREEMENT, AMENDMENT, AND BUDGET

FOURTH AMENDMENT TO AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES

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

City of Moreno Valley

IMEG Corp, a Delaware Corporation

By: _____

By: _____

Mike Lee

Kerry Parker

City Manager

Title: Managing Principal/Client Executive

Date: _____

Date: _____

INTERNAL USE ONLY

APPROVED AS TO FORM:

By: _____

City Attorney

Karen J. Guest

Title: Secretary

Date

Date: _____

RECOMMENDED FOR APPROVAL:

Department Head

Date

Attachment: Fourth Amendment to Agreement - IMEG CORP (5916 : APPROVE THE AGREEMENT, AMENDMENT, AND BUDGET

Agreement No. _____

AGREEMENT

Project No. 803 0053
Public Safety Building HVAC Replacement
22850 Calle San Juan De Los Lagos, Moreno Valley, CA 92553

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

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

1. **CONTRACT DOCUMENTS.** The Contract Documents consist of the following, which are incorporated herein by this reference:
 - A. This Agreement
 - B. Any and all Contract Change Orders and Construction Change Directives issued after execution of this Agreement
 - C. The bound Contract Documents that include City Special Provisions, General Provisions, and Technical Provisions
 - D. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
 - E. Reference Specifications/Reference Documents other than those listed in paragraph 2, below
 - F. Vendor Specifications
 - G. Governmental approvals, including, but not limited to, permits required for the Work
 - H. Contractor's Labor and Materials Payment Bond (for reference only)
 - I. Contractor's Faithful Performance Bond (for reference only)
 - J. Contractor's Certificates of Insurance and Additional Insured Endorsements

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

2. **REFERENCE DOCUMENTS.** The following Reference Documents are not considered Contract Documents and are made available to the Contractor for informational purposes: N/A
3. **SCOPE OF WORK.** The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.
4. **PAYMENT.**

4.1. **Contract Price and Basis for Payment.** In consideration for the Contractor’s full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items, if any, set forth the Bid Schedule submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items, if any, awarded by the City is **One Million Seven Hundred and Eighty-Eight Thousand Four Hundred and Thirty-Five Dollars (\$1,788,435.00)** (“Contract Price”). It is understood and agreed that the quantities set forth in the Bid Schedule for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of Work, the unit prices set forth in the Bid Schedule multiplied by the actual number of units performed, constructed, or completed as directed and measured by the City Engineer.

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

5. CONTRACT TIME.

A. Contract Time. The contract time shall be determined in accordance with the following:

Base Bid	550 Working Days
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B. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the “Notice to Proceed to Fulfill Preconstruction Requirements.” The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of **Forty (45) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction Requirements shall further specify that Contractor must complete the preconstruction requirements within **ten (10) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Critical preconstruction requirements may include, but are not limited to, the following:

- Submitting and obtaining approval of any Traffic Control Plans
- Submitting and obtaining approval of the Pollution Prevention Plan (PPP)
- Submitting and obtaining approval of critical required submittals
- Obtaining an approved no fee Encroachment Permit
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents

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

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

6. LIQUIDATED DAMAGES AND CONTROL OF WORK.

6.1. **Liquidated Damages.** The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to complete the Work within the Contract Time, which includes the time necessary to fulfill preconstruction requirements and to complete construction of the Project (except as adjusted by subsequent Change Orders) in accordance with **Article 5** above. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85 and in Public Contract Code Section 7203. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadlines for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to complete the Work within the Contract Time, Contractor agrees to pay the City **\$500 per Calendar Day** that completion of the each such portion of the Work is delayed beyond the Contract Time. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

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

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

Liquidated damages are owed automatically and without notice of any kind upon the accrual of each day of delay. City may at any time deduct liquidated damages as are payable hereunder from money due or to become due to Contractor, or pursue any other legal remedy to collect such liquidated damages from Contractor and/or its Surety. Neither the City's failure or delay in deducting liquidated damages from payments otherwise due Contractor, nor City's failure or delay in notifying Contractor of the accrual of liquidated damages, shall be deemed a waiver of City's right to liquidated damages.

City's rights under this Section shall not be interpreted as precluding or limiting: (1) any right or remedy of City arising from an event of Contractor default other than a failure to complete the Work within the Contract Time; or (2) City's right to order an acceleration, at Contractor's expense, of performance of the Work to overcome delay, including, without limitation, a delay for which City has the right to assess and/or accrue liquidated damages. The availability of liquidated damages shall not limit City's right to terminate the Contractor's performance and accrual and/or assessment of liquidated damages does not constitute a waiver of such rights.

6.2. **Owner is Exempt from Liability for Early Completion Delay Damages.** While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-4 of the Standard Specifications and City Special Provisions regarding compensation for delays.

6.3. Any work completed by the Contractor after the issuance of a Stop Work Notice by the City shall be rejected and/or removed and replaced as specified in Section 3-5 of the City Special Provisions.

7. INSURANCE.

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

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

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

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

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

7.4. **Primary Coverage.** All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD) and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers, and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

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

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

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project and any extension of the one-year correction guarantee period in accordance with Section 3-13.3 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:
 - (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property, and equipment, and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;
 - (b) Financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill); and
 - (c) A claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.

2. If at any time after such self-insurance has been approved, the Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:
- (a) The Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or
 - (b) The insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees, and volunteers; or
 - (c) The Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

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

7.8. **Notices to City of Cancellation or Changes.** Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

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

Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 3-13.3 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: \$1,000,000 per occurrence / \$2,000,000 aggregate / \$2,000,000 products-completed operations.

7.10. **Business Automobile Liability.** Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with \$1,000,000 combined single limit per accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

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

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

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

8. **BONDS.** The Contractor shall provide two surety bonds. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contract Documents as may be amended from time to time, including, but not limited to, liability for delays and damages (both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

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

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular

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

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

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

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

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least five (5) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. General. To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, the Moreno Valley Housing Authority (MVHA), and the Moreno Valley Community Services District (CSD), and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against

any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop payment notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

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

- O. Infringement of any patent rights, licenses, copyrights, or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and
- P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence.** Contractor's obligations to indemnify and hold the Indemnitees harmless exclude only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 10. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

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

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

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

10.6. **Subcontractor Requirements.** In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's

Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 10.

10.7. No Limitation or Waiver of Rights. Contractor's obligations under this Paragraph 10 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 10 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 10 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

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

10.9. Survival of Indemnity Obligations. Contractor's obligations under this Paragraph 10 are binding on Contractor's and its Subcontractors' successors, heirs, and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

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

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, a Municipal Corporation

ACCO Engineered Systems, Inc.

BY: _____
Mike Lee, City Manager

License No./
Classification: _____

DATE: _____

Expiration Date: _____

Federal I.D. No.: _____

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

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

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

Attachment: Project 803 0053 Public Safety Building HVAC Replacement (5916 : APPROVE THE AGREEMENT, AMENDMENT, AND BUDGET



Report to City Council

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: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) - AMENDMENT NOS. 59, 62, 63, 69, 72 AND 74 (RESO. NOS. CSD 2023-__ TO CSD 2023-__)

RECOMMENDED ACTION

Recommendation:

1. Adopt Resolution No. CSD 2023-__, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 59) (D.R. Horton Los Angeles Holding Company, Inc., located near the northeast corner of Alessandro Blvd. and Lasselle St.).
2. Adopt Resolution No. CSD 2023-__, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 62) (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.).
3. Adopt Resolution No. CSD 2023-__, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 63) (SPSSN Inv II, 22402 Bay Ave.).

4. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 69) (David Santibanez de la Torre, 28778 McAbee Ave.).
5. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 72) (Marta and Luis Ernesto Interiano, 24649 La Barca Way).
6. Adopt Resolution No. CSD 2023-___, a Resolution of the Board for the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2021-01 (Parks Maintenance) and approving the amended map for said District (Amendment No. 74) (Denesse Duran and Jaime Eduardo Pulido, 23433 Dome St.).

SUMMARY

Adoption of the resolutions (Attachments 1-6) will certify the annexation of 10 parcels into Community Facilities District (CFD) No. 2021-01 (Parks Maintenance) ("District"). This action impacts only the property owners identified below, not the general citizens or taxpayers of the City.

DISCUSSION

As a condition of approval for the development projects identified below, the applicants are required to provide an ongoing funding source for maintenance of certain public facilities (e.g., parks). The funding is used to mitigate the cost of the impacts created by the proposed development.

Property Owner Project ACP Record #s	Amendment No.	APNs	Location
D.R. Horton Los Angeles Holding Company, Inc. TTM 38123, 177 SF Homes PEN21-0136/SCP22-0097	59	487-470-028 487-470-036 487-574-001 487-574-002	Northeast corner of Alessandro Blvd. and Lasselle St.
Hakan Buvan TTM 37462, 8 SF Homes PEN18-0080/SCP22-0101	62	478-090-030 478-090-031	Northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.
SPSSN Inv II Accessory Dwelling Unit (ADU) BFR22-0162/SCP22-0104	63	291-163-015	22402 Bay Ave.
David Santibanez de la Torre Accessory Dwelling Unit (ADU) BFR22-0214/SCP22-0117	69	478-280-006	28778 McAbee Ave.
Marta and Luis Ernesto Interiano Accessory Dwelling Unit (ADU) BFR22-0186/SCP22-0087	72	485-123-026	24649 La Barca Way
Denesse Duran and Jaime Eduardo Pulido Accessory Dwelling Unit (ADU) BFR22-0230/SCP22-0121	74	296-185-011	23433 Dome St.

On June 1, 2021, the CSD Board formed CFD No. 2021-01, pursuant to the Mello-Roos Community Facilities Act of 1982. The District was created to provide the development community with an alternative funding tool to mitigate the impacts of their proposed development. If a property owner elects to annex the parcels of their development into the District, they also authorize the CSD to annually levy a special tax, collected on the annual property tax bill, against property in the development project. Thus, satisfying the condition of approval.

On December 21, 2021, the CSD Board adopted Ordinance No. 56, which designated the entire territory of the City as a future annexation area for the District. With the future annexation area designated, 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 they are receiving.

An applicant has two options to satisfy the condition(s) of approval:

1. The property owner submits a Landowner Petition unanimously approving annexation of the 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 of the property. This option is only available if there are fewer than 12 registered voters living within the proposed annexation area; or
2. The applicant funds an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation and provides for the ongoing operation and maintenance of parks facilities.

The Property Owners listed above elected to annex their property into CFD No. 2021-01 and have the special tax applied to the annual property tax bill. The Office of the Riverside County Registrar of Voters confirmed the number of registered voters residing at each property, allowing a special election of the landowner. Adoption of the resolutions (Attachments 1-6) amends the District and adds the property to the tax rate area identified in the Fiscal Impact section of this report. The resolutions also direct the recordation of the boundary maps (Attachments 7-12) and amended notice of special tax liens for the amendments. The Election Official confirmed the Property Owners unanimously approved the annexation of their property into the District (Attachments 13-18).

ALTERNATIVES

1. Adopt the resolutions. *Staff recommends this alternative since it will annex the properties into CFD No. 2021-01 at the request of the Property Owners and satisfy the condition of approval for the proposed developments.*
2. Do not adopt the resolutions. *Staff does not recommend this alternative because it is contrary to the request of the Property Owners, will not satisfy the condition of approval, and may delay development of the projects.*
3. Do not adopt the resolutions but rather continue the item to a future regularly scheduled City Council meeting. *Staff does not recommend this alternative as it will delay the Property Owners from satisfying the condition of approval and may delay development of the projects.*

FISCAL IMPACT

Revenue received from the special tax is restricted and can only be used to fund the services for each tax rate area within the District. The special tax can only be applied to a property tax bill of a parcel wherein the qualified electors (i.e., landowners or registered voters, depending upon the number of registered voters) have previously provided approval. If the projected revenue from the maximum special tax exceeds what is necessary to fund the services within the tax rate area, a lower amount will be applied to the property tax bill for all of the properties within the affected tax rate area. The maximum special tax rates are detailed below.

Property Owner Project ACP Record #s	Amendment No.	Property Type	FY 2022/23 Maximum Special Tax Rate
D.R. Horton Los Angeles Holding Company, Inc. TTM 38123, 177 SF Homes PEN21-0136/SCP22-0097	59	Single Family	\$308.39
Hakan Buvan TTM 37462, 8 SF Homes PEN18-0080/SCP22-0101	62	Single Family	\$308.39
SPSSN Inv II Accessory Dwelling Unit (ADU) BFR22-0162/SCP22-0104	63	Single Family	\$308.39
David Santibanez de la Torre Accessory Dwelling Unit (ADU) BFR22-0214/SCP22-0117	69	Single Family	\$308.39
Marta and Luis Ernesto Interiano Accessory Dwelling Unit (ADU) BFR22-0186/SCP22-0087	72	Single Family	\$308.39
Denesse Duran and Jaime Eduardo Pulido Accessory Dwelling Unit (ADU) BFR22-0230/SCP22-0121	74	Single Family	\$308.39

The maximum special tax rate is subject to an annual inflation adjustment based on the change in the Consumer Price Index (CPI) or five percent (5%), whichever is greater. However, the annual adjustment cannot be applied unless the CSD Board annually authorizes such adjustment. The increase to the maximum special tax rate cannot exceed the annual inflationary adjustment without a two-thirds approval of the qualified electors within the affected tax rate area.

NOTIFICATION

The Landowner Petitions were emailed to the Property Owners on December 15th through the 20th.

PREPARATION OF STAFF REPORT

Prepared by:
Kimberly Ganimian
Special Districts Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager

Concurred by:
Jeremy Bubnick
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.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

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

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

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. Resolution Ordering Annexation - Amendment No. 59
2. Resolution Ordering Annexation - Amendment No. 62
3. Resolution Ordering Annexation - Amendment No. 63
4. Resolution Ordering Annexation - Amendment No. 69
5. Resolution Ordering Annexation - Amendment No. 72
6. Resolution Ordering Annexation - Amendment No. 74
7. Boundary Map - Amendment No. 59
8. Boundary Map - Amendment No. 62
9. Boundary Map - Amendment No. 63
10. Boundary Map - Amendment No. 69
11. Boundary Map - Amendment No. 72
12. Boundary Map - Amendment No. 74
13. Certificate of Election Official - Amendment No. 59
14. Certificate of Election Official - Amendment No. 62
15. Certificate of Election Official - Amendment No. 63

- 16. Certificate of Election Official - Amendment No. 69
- 17. Certificate of Election Official - Amendment No. 72
- 18. Certificate of Election Official - Amendment No. 74

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:48 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:50 AM

RESOLUTION NO. 2023-___

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) AND APPROVING AN AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2022-23, Board established the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance) (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. CSD 55, the Board authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks maintenance services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the Board, by its Ordinance No. CSD 56 designated the entire territory of the City of Moreno Valley as a future annexation area for the CFD; 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 District 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 territory shown on the boundary map (the "Boundary Map") entitled "Amendment No. 59 to Boundaries of Community Facilities District No. 2021-01 (Parks Maintenance), Moreno Valley Community Services District, City of Moreno Valley, County of Riverside, California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the Board desires to annex the Annexation Parcels to the CFD.

NOW, THEREFORE, THE BOARD FOR 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.
2. Annexation Approved. The Annexation Parcels are hereby added to and part of the CFD with full legal effect and are subject to the Special Tax.
3. Description of Services. The following is a general description of the services (the "Services") provided in the CFD:

1
Resolution No. 2023-___
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 59 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Maintaining, lighting, and operating parks and park improvements that are owned and operated by the CSD, to the extent such services are in addition to services already provided at the time CFD No. 2021-01 was created and do not supplant existing services.

Fundable services include (i) planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other plants and vegetation, (ii) the operation, maintenance, repair, and replacement of irrigation systems and lighting systems, and (iii) the operation maintenance, repair and replacement of any real property or improvements with a useful life of more than five years.

Fundable costs include, but are not limited to: (i) contracted costs for such services, (ii) salaries and benefits of staff, including park rangers, devoted to such services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) administrative and overhead costs, including staff time, associated with providing such services, and (v) lifecycle costs associated with the repair and replacement of facilities and improvements.

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 Board 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 Board directs that an amended 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 Secretary shall certify to the adoption of this Resolution, and shall maintain it on file as a public record this Resolution.

8. Severability. The Board 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

APPROVED AND ADOPTED this 21st day of February 2023.

Mayor of the City of Moreno Valley,
acting in the capacity as President of the
Board for the Moreno Valley Community
Services District

ATTEST:

City Clerk of the City of Moreno Valley,
acting in the capacity of Secretary of
the Moreno Valley Community
Services District

APPROVED AS TO FORM:

City Attorney of the City of Moreno Valley,
acting in the capacity of General Counsel
of the Moreno Valley Community Services District

Resolution No. CSD 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 59 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION JURAT

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-____ was duly and regularly adopted by the Board of Directors for the Moreno Valley Community Services District at a regular meeting held on the 21st day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

EXHIBIT A

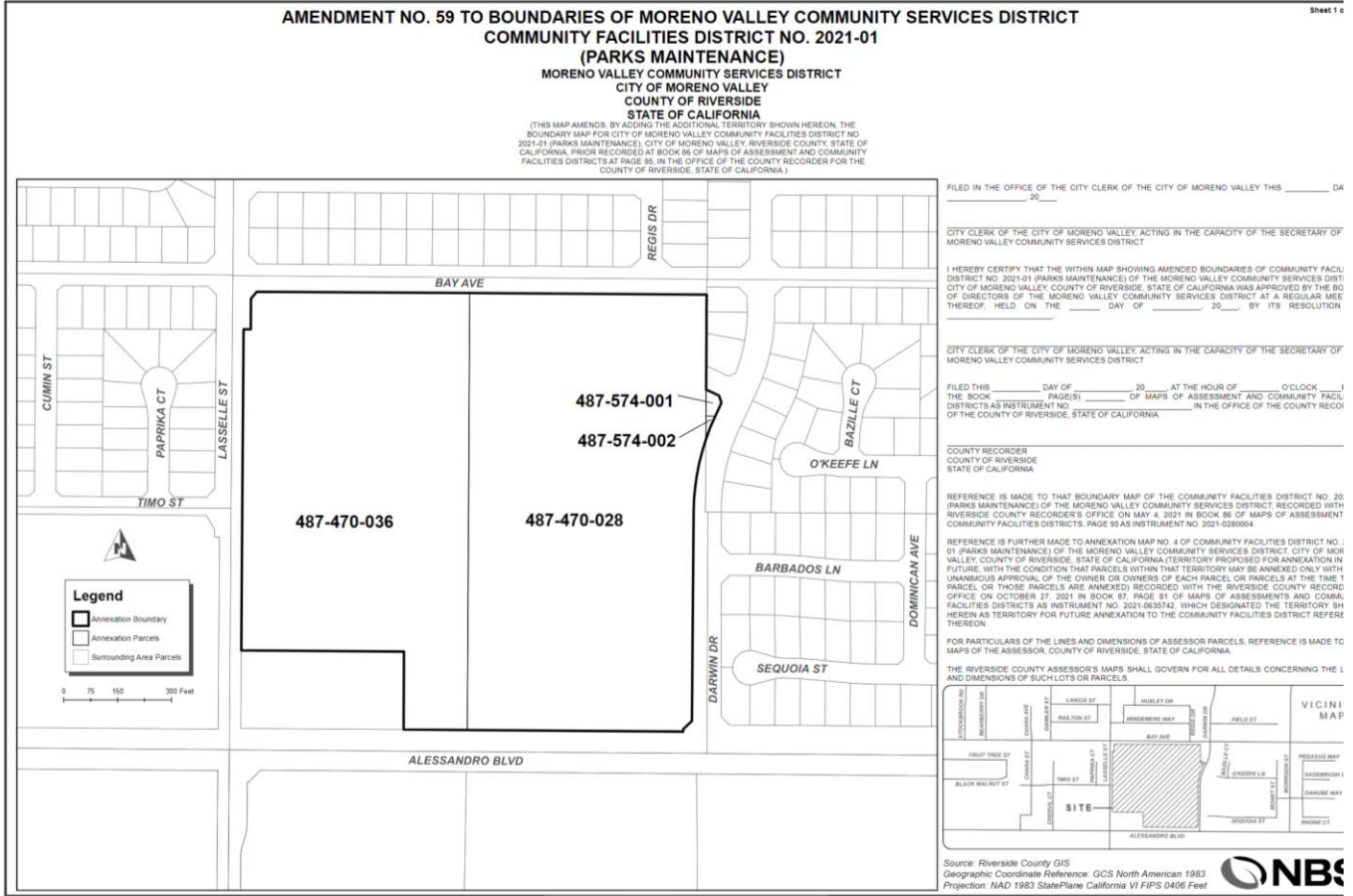
List of Annexation Parcels

Amendment Map No.	Assessor's Parcel Numbers
59	487-470-028
	487-470-036
	487-574-001
	487-574-002

Attachment: Resolution Ordering Annexation - Amendment No. 59 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Resolution No. CSD 2023-5
Date Adopted: February 21, 2023

EXHIBIT B



Attachment: Resolution Ordering Annexation - Amendment No. 59 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION NO. 2023-____

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) AND APPROVING AN AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2022-23, Board established the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance) (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. CSD 55, the Board authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks maintenance services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the Board, by its Ordinance No. CSD 56 designated the entire territory of the City of Moreno Valley as a future annexation area for the CFD; 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 District 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 territory shown on the boundary map (the "Boundary Map") entitled "Amendment No. 62 to Boundaries of Community Facilities District No. 2021-01 (Parks Maintenance), Moreno Valley Community Services District, City of Moreno Valley, County of Riverside, California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the Board desires to annex the Annexation Parcels to the CFD.

NOW, THEREFORE, THE BOARD FOR 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.
2. Annexation Approved. The Annexation Parcels are hereby added to and part of the CFD with full legal effect and are subject to the Special Tax.
3. Description of Services. The following is a general description of the services (the "Services") provided in the CFD:

1

Resolution No. 2023-____
Date Adopted: February 21, 2023

Maintaining, lighting, and operating parks and park improvements that are owned and operated by the CSD, to the extent such services are in addition to services already provided at the time CFD No. 2021-01 was created and do not supplant existing services.

Fundable services include (i) planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other plants and vegetation, (ii) the operation, maintenance, repair, and replacement of irrigation systems and lighting systems, and (iii) the operation maintenance, repair and replacement of any real property or improvements with a useful life of more than five years.

Fundable costs include, but are not limited to: (i) contracted costs for such services, (ii) salaries and benefits of staff, including park rangers, devoted to such services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) administrative and overhead costs, including staff time, associated with providing such services, and (v) lifecycle costs associated with the repair and replacement of facilities and improvements.

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 Board 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 Board directs that an amended 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 Secretary shall certify to the adoption of this Resolution, and shall maintain it on file as a public record this Resolution.

8. Severability. The Board 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

2
Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

APPROVED AND ADOPTED this 21st day of February 2023.

Mayor of the City of Moreno Valley,
acting in the capacity as President of the
Board for the Moreno Valley Community
Services District

ATTEST:

City Clerk of the City of Moreno Valley,
acting in the capacity of Secretary of
the Moreno Valley Community
Services District

APPROVED AS TO FORM:

City Attorney of the City of Moreno Valley,
acting in the capacity of General Counsel
of the Moreno Valley Community Services District

Resolution No. CSD 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 62 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION JURAT

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-____ was duly and regularly adopted by the Board of Directors for the Moreno Valley Community Services District at a regular meeting held on the 21st day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

EXHIBIT A

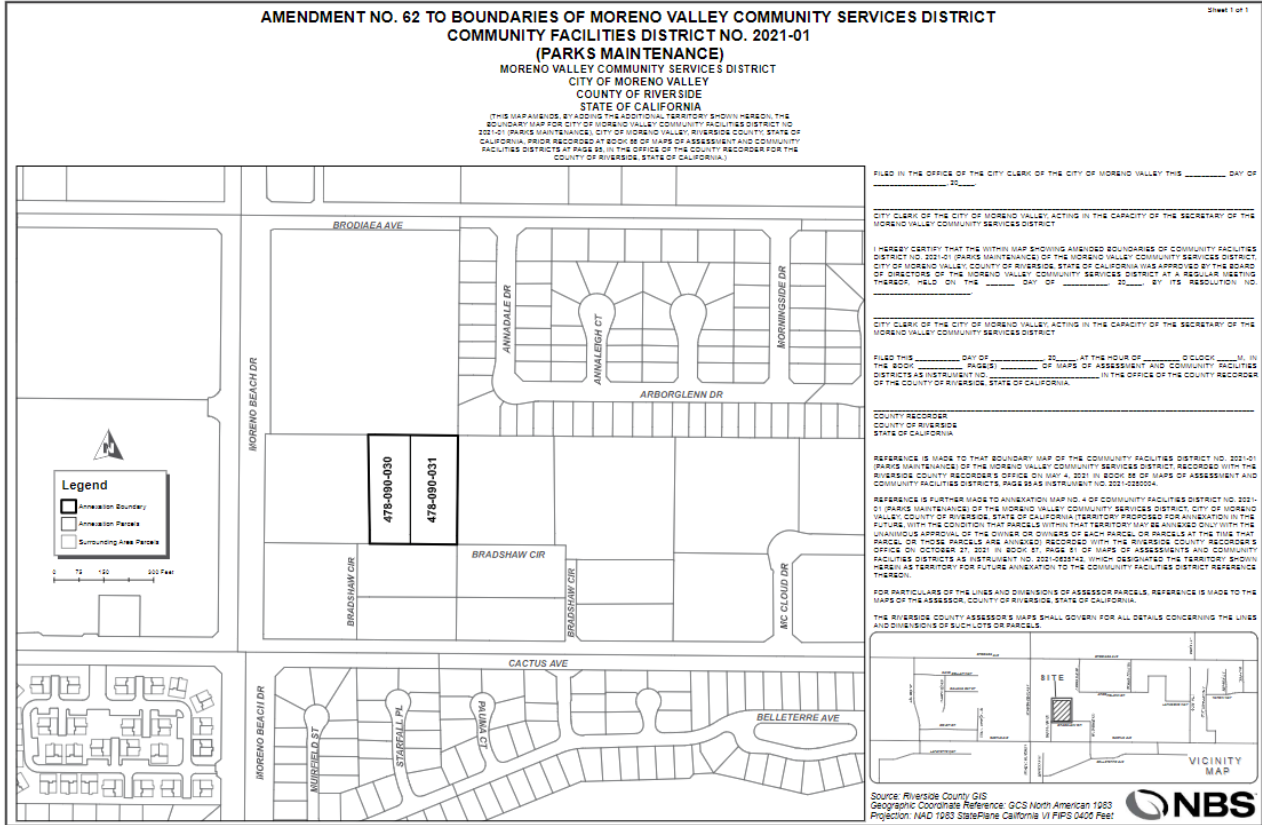
List of Annexation Parcels

Amendment Map No.	Assessor's Parcel Number
62	478-090-030
	478-090-031

Attachment: Resolution Ordering Annexation - Amendment No. 62 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Resolution No. CSD 2023-5
Date Adopted: February 21, 2023

EXHIBIT B



Attachment: Resolution Ordering Annexation - Amendment No. 62 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION NO. 2023-___

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) AND APPROVING AN AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2022-23, Board established the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance) (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. CSD 55, the Board authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks maintenance services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the Board, by its Ordinance No. CSD 56 designated the entire territory of the City of Moreno Valley as a future annexation area for the CFD; and

WHEREAS, the landowner of the parcel listed on Exhibit A to this Resolution, which is attached hereto and incorporated herein by reference, has submitted to the District a petition requesting and approving annexation of the listed parcel (the "Annexation Parcel") to the CFD; and

WHEREAS, the Annexation Parcel is comprised of the territory shown on the boundary map (the "Boundary Map") entitled "Amendment No. 63 to Boundaries of Community Facilities District No. 2021-01 (Parks Maintenance), Moreno Valley Community Services District, City of Moreno Valley, County of Riverside, California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the Board desires to annex the Annexation Parcel to the CFD.

NOW, THEREFORE, THE BOARD FOR 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.
2. Annexation Approved. The Annexation Parcel is hereby added to and part of the CFD with full legal effect and is subject to the Special Tax.
3. Description of Services. The following is a general description of the services (the "Services") provided in the CFD:

1

Resolution No. 2023-___
Date Adopted: February 21, 2023

Maintaining, lighting, and operating parks and park improvements that are owned and operated by the CSD, to the extent such services are in addition to services already provided at the time CFD No. 2021-01 was created and do not supplant existing services.

Fundable services include (i) planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other plants and vegetation, (ii) the operation, maintenance, repair, and replacement of irrigation systems and lighting systems, and (iii) the operation maintenance, repair and replacement of any real property or improvements with a useful life of more than five years.

Fundable costs include, but are not limited to: (i) contracted costs for such services, (ii) salaries and benefits of staff, including park rangers, devoted to such services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) administrative and overhead costs, including staff time, associated with providing such services, and (v) lifecycle costs associated with the repair and replacement of facilities and improvements.

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 Board 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 Board directs that an amended notice of special tax lien be recorded pursuant to Section 3117.5 of the Streets and Highways Code with respect to the Annexation Parcel associated with the Boundary Map.

6. This Resolution shall be effective immediately upon adoption.

7. The Secretary shall certify to the adoption of this Resolution, and shall maintain it on file as a public record this Resolution.

8. Severability. The Board 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

2
Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

APPROVED AND ADOPTED this 21st day of February 2023.

Mayor of the City of Moreno Valley,
acting in the capacity as President of the
Board for the Moreno Valley Community
Services District

ATTEST:

City Clerk of the City of Moreno Valley,
acting in the capacity of Secretary of
the Moreno Valley Community
Services District

APPROVED AS TO FORM:

City Attorney of the City of Moreno Valley,
acting in the capacity of General Counsel
of the Moreno Valley Community Services District

Resolution No. CSD 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 63 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION JURAT

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-____ was duly and regularly adopted by the Board of Directors for the Moreno Valley Community Services District at a regular meeting held on the 21st day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

EXHIBIT A

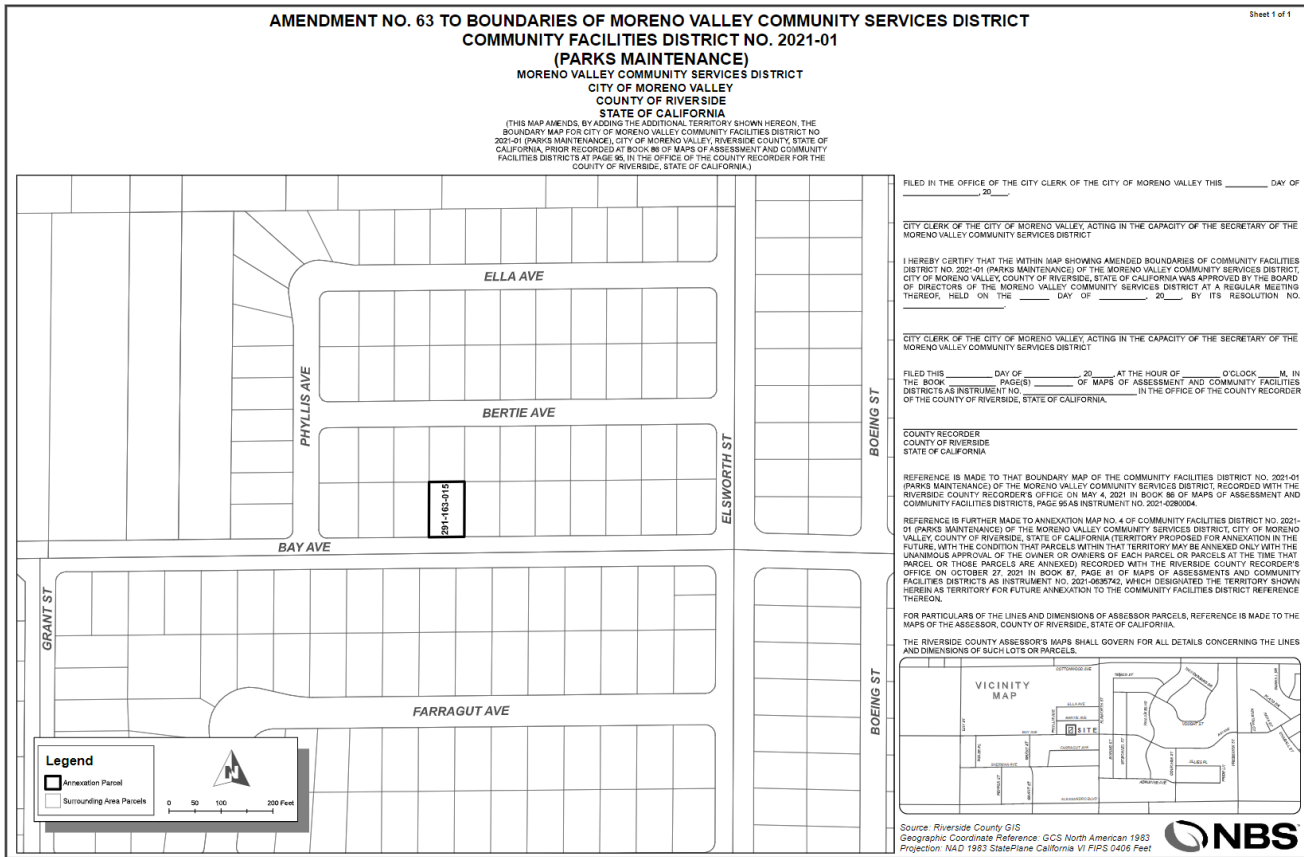
List of Annexation Parcels

Amendment Map No.	Assessor's Parcel Numbers
63	291-163-015

Attachment: Resolution Ordering Annexation - Amendment No. 63 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Resolution No. CSD 2023-5
Date Adopted: February 21, 2023

EXHIBIT B



Attachment: Resolution Ordering Annexation - Amendment No. 63 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION NO. 2023-___

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) AND APPROVING AN AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2022-23, Board established the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance) (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. CSD 55, the Board authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks maintenance services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the Board, by its Ordinance No. CSD 56 designated the entire territory of the City of Moreno Valley as a future annexation area for the CFD; and

WHEREAS, the landowner of the parcel listed on Exhibit A to this Resolution, which is attached hereto and incorporated herein by reference, has submitted to the District a petition requesting and approving annexation of the listed parcel (the "Annexation Parcel") to the CFD; and

WHEREAS, the Annexation Parcel is comprised of the territory shown on the boundary map (the "Boundary Map") entitled "Amendment No. 69 to Boundaries of Community Facilities District No. 2021-01 (Parks Maintenance), Moreno Valley Community Services District, City of Moreno Valley, County of Riverside, California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the Board desires to annex the Annexation Parcel to the CFD.

NOW, THEREFORE, THE BOARD FOR 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.
2. Annexation Approved. The Annexation Parcel is hereby added to and part of the CFD with full legal effect and is subject to the Special Tax.
3. Description of Services. The following is a general description of the services (the "Services") provided in the CFD:

1

Resolution No. 2023-___
Date Adopted: February 21, 2023

Maintaining, lighting, and operating parks and park improvements that are owned and operated by the CSD, to the extent such services are in addition to services already provided at the time CFD No. 2021-01 was created and do not supplant existing services.

Fundable services include (i) planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other plants and vegetation, (ii) the operation, maintenance, repair, and replacement of irrigation systems and lighting systems, and (iii) the operation maintenance, repair and replacement of any real property or improvements with a useful life of more than five years.

Fundable costs include, but are not limited to: (i) contracted costs for such services, (ii) salaries and benefits of staff, including park rangers, devoted to such services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) administrative and overhead costs, including staff time, associated with providing such services, and (v) lifecycle costs associated with the repair and replacement of facilities and improvements.

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 Board 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 Board directs that an amended notice of special tax lien be recorded pursuant to Section 3117.5 of the Streets and Highways Code with respect to the Annexation Parcel associated with the Boundary Map.

6. This Resolution shall be effective immediately upon adoption.

7. The Secretary shall certify to the adoption of this Resolution, and shall maintain it on file as a public record this Resolution.

8. Severability. The Board 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

2
Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

APPROVED AND ADOPTED this 21st day of February 2023.

Mayor of the City of Moreno Valley,
acting in the capacity as President of the
Board for the Moreno Valley Community
Services District

ATTEST:

City Clerk of the City of Moreno Valley,
acting in the capacity of Secretary of
the Moreno Valley Community
Services District

APPROVED AS TO FORM:

City Attorney of the City of Moreno Valley,
acting in the capacity of General Counsel
of the Moreno Valley Community Services District

Resolution No. CSD 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 69 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION JURAT

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-____ was duly and regularly adopted by the Board of Directors for the Moreno Valley Community Services District at a regular meeting held on the 21st day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

EXHIBIT A

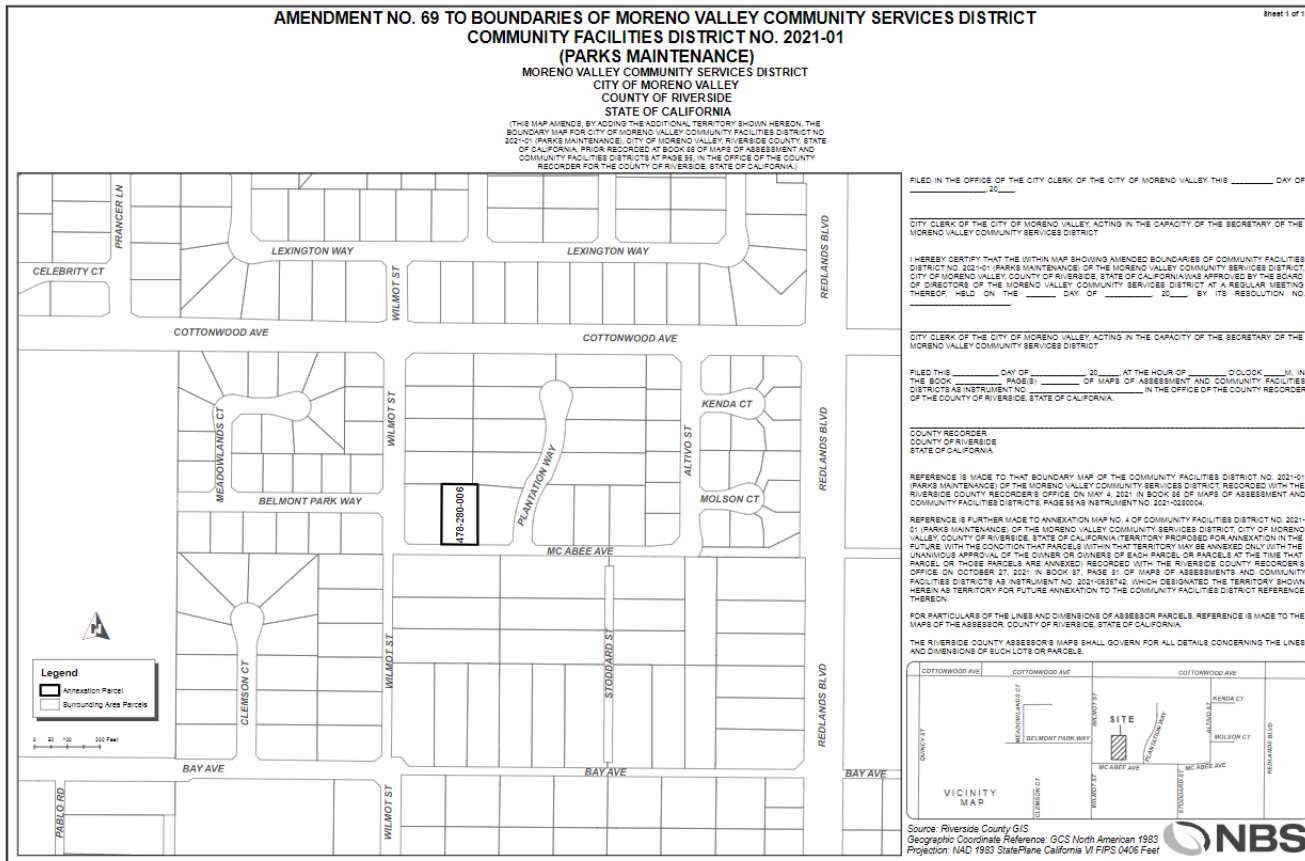
List of Annexation Parcels

Amendment Map No.	Assessor's Parcel Number
69	478-280-006

Attachment: Resolution Ordering Annexation - Amendment No. 69 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Resolution No. CSD 2023-5
Date Adopted: February 21, 2023

EXHIBIT B



Attachment: Resolution Ordering Annexation - Amendment No. 69 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION NO. 2023-___

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) AND APPROVING AN AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2022-23, Board established the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance) (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. CSD 55, the Board authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks maintenance services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the Board, by its Ordinance No. CSD 56 designated the entire territory of the City of Moreno Valley as a future annexation area for the CFD; and

WHEREAS, the landowner of the parcel listed on Exhibit A to this Resolution, which is attached hereto and incorporated herein by reference, has submitted to the District a petition requesting and approving annexation of the listed parcel (the "Annexation Parcel") to the CFD; and

WHEREAS, the Annexation Parcel is comprised of the territory shown on the boundary map (the "Boundary Map") entitled "Amendment No. 72 to Boundaries of Community Facilities District No. 2021-01 (Parks Maintenance), Moreno Valley Community Services District, City of Moreno Valley, County of Riverside, California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the Board desires to annex the Annexation Parcel to the CFD.

NOW, THEREFORE, THE BOARD FOR 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.
2. Annexation Approved. The Annexation Parcel is hereby added to and part of the CFD with full legal effect and is subject to the Special Tax.
3. Description of Services. The following is a general description of the services (the "Services") provided in the CFD:

1

Resolution No. 2023-___
Date Adopted: February 21, 2023

Maintaining, lighting, and operating parks and park improvements that are owned and operated by the CSD, to the extent such services are in addition to services already provided at the time CFD No. 2021-01 was created and do not supplant existing services.

Fundable services include (i) planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other plants and vegetation, (ii) the operation, maintenance, repair, and replacement of irrigation systems and lighting systems, and (iii) the operation maintenance, repair and replacement of any real property or improvements with a useful life of more than five years.

Fundable costs include, but are not limited to: (i) contracted costs for such services, (ii) salaries and benefits of staff, including park rangers, devoted to such services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) administrative and overhead costs, including staff time, associated with providing such services, and (v) lifecycle costs associated with the repair and replacement of facilities and improvements.

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 Board 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 Board directs that an amended notice of special tax lien be recorded pursuant to Section 3117.5 of the Streets and Highways Code with respect to the Annexation Parcel associated with the Boundary Map.

6. This Resolution shall be effective immediately upon adoption.

7. The Secretary shall certify to the adoption of this Resolution, and shall maintain it on file as a public record this Resolution.

8. Severability. The Board 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

APPROVED AND ADOPTED this 21st day of February 2023.

Mayor of the City of Moreno Valley,
acting in the capacity as President of the
Board for the Moreno Valley Community
Services District

ATTEST:

City Clerk of the City of Moreno Valley,
acting in the capacity of Secretary of
the Moreno Valley Community
Services District

APPROVED AS TO FORM:

City Attorney of the City of Moreno Valley,
acting in the capacity of General Counsel
of the Moreno Valley Community Services District

Resolution No. CSD 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 72 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION JURAT

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-____ was duly and regularly adopted by the Board of Directors for the Moreno Valley Community Services District at a regular meeting held on the 21st day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

EXHIBIT A

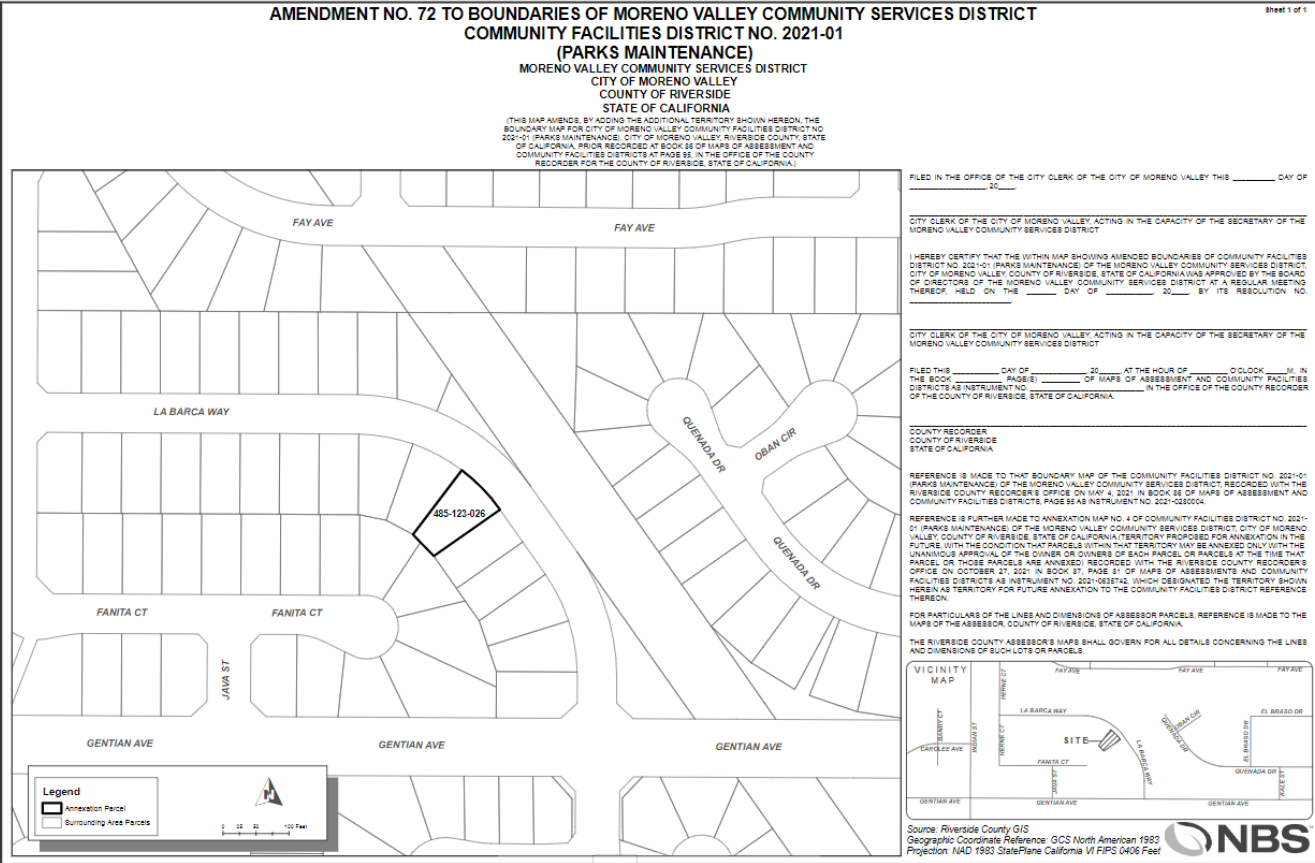
List of Annexation Parcels

Amendment Map No.	Assessor's Parcel Number
72	485-123-026

Attachment: Resolution Ordering Annexation - Amendment No. 72 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Resolution No. CSD 2023-5
Date Adopted: February 21, 2023

EXHIBIT B



Attachment: Resolution Ordering Annexation - Amendment No. 72 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION NO. 2023-___

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY TO MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) AND APPROVING AN AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2022-23, Board established the Moreno Valley Community Services District Community Facilities District No. 2021-01 (Parks Maintenance) (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. CSD 55, the Board authorized an annual special tax to be levied against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks maintenance services; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the Board, by its Ordinance No. CSD 56 designated the entire territory of the City of Moreno Valley as a future annexation area for the CFD; and

WHEREAS, the landowner of the parcel listed on Exhibit A to this Resolution, which is attached hereto and incorporated herein by reference, has submitted to the District a petition requesting and approving annexation of the listed parcel (the "Annexation Parcel") to the CFD; and

WHEREAS, the Annexation Parcel is comprised of the territory shown on the boundary map (the "Boundary Map") entitled "Amendment No. 74 to Boundaries of Community Facilities District No. 2021-01 (Parks Maintenance), Moreno Valley Community Services District, City of Moreno Valley, County of Riverside, California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the Board desires to annex the Annexation Parcel to the CFD.

NOW, THEREFORE, THE BOARD FOR 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.
2. Annexation Approved. The Annexation Parcel is hereby added to and part of the CFD with full legal effect and is subject to the Special Tax.
3. Description of Services. The following is a general description of the services (the "Services") provided in the CFD:

1

Resolution No. 2023-___
Date Adopted: February 21, 2023

Maintaining, lighting, and operating parks and park improvements that are owned and operated by the CSD, to the extent such services are in addition to services already provided at the time CFD No. 2021-01 was created and do not supplant existing services.

Fundable services include (i) planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other plants and vegetation, (ii) the operation, maintenance, repair, and replacement of irrigation systems and lighting systems, and (iii) the operation maintenance, repair and replacement of any real property or improvements with a useful life of more than five years.

Fundable costs include, but are not limited to: (i) contracted costs for such services, (ii) salaries and benefits of staff, including park rangers, devoted to such services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) administrative and overhead costs, including staff time, associated with providing such services, and (v) lifecycle costs associated with the repair and replacement of facilities and improvements.

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 Board 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 Board directs that an amended notice of special tax lien be recorded pursuant to Section 3117.5 of the Streets and Highways Code with respect to the Annexation Parcel associated with the Boundary Map.

6. This Resolution shall be effective immediately upon adoption.

7. The Secretary shall certify to the adoption of this Resolution, and shall maintain it on file as a public record this Resolution.

8. Severability. The Board 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

APPROVED AND ADOPTED this 21st day of February 2023.

Mayor of the City of Moreno Valley,
acting in the capacity as President of the
Board for the Moreno Valley Community
Services District

ATTEST:

City Clerk of the City of Moreno Valley,
acting in the capacity of Secretary of
the Moreno Valley Community
Services District

APPROVED AS TO FORM:

City Attorney of the City of Moreno Valley,
acting in the capacity of General Counsel
of the Moreno Valley Community Services District

Resolution No. CSD 2023-3
Date Adopted: February 21, 2023

Attachment: Resolution Ordering Annexation - Amendment No. 74 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

RESOLUTION JURAT

I, Jane Halstead, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2023-____ was duly and regularly adopted by the Board of Directors for the Moreno Valley Community Services District at a regular meeting held on the 21st day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

EXHIBIT A

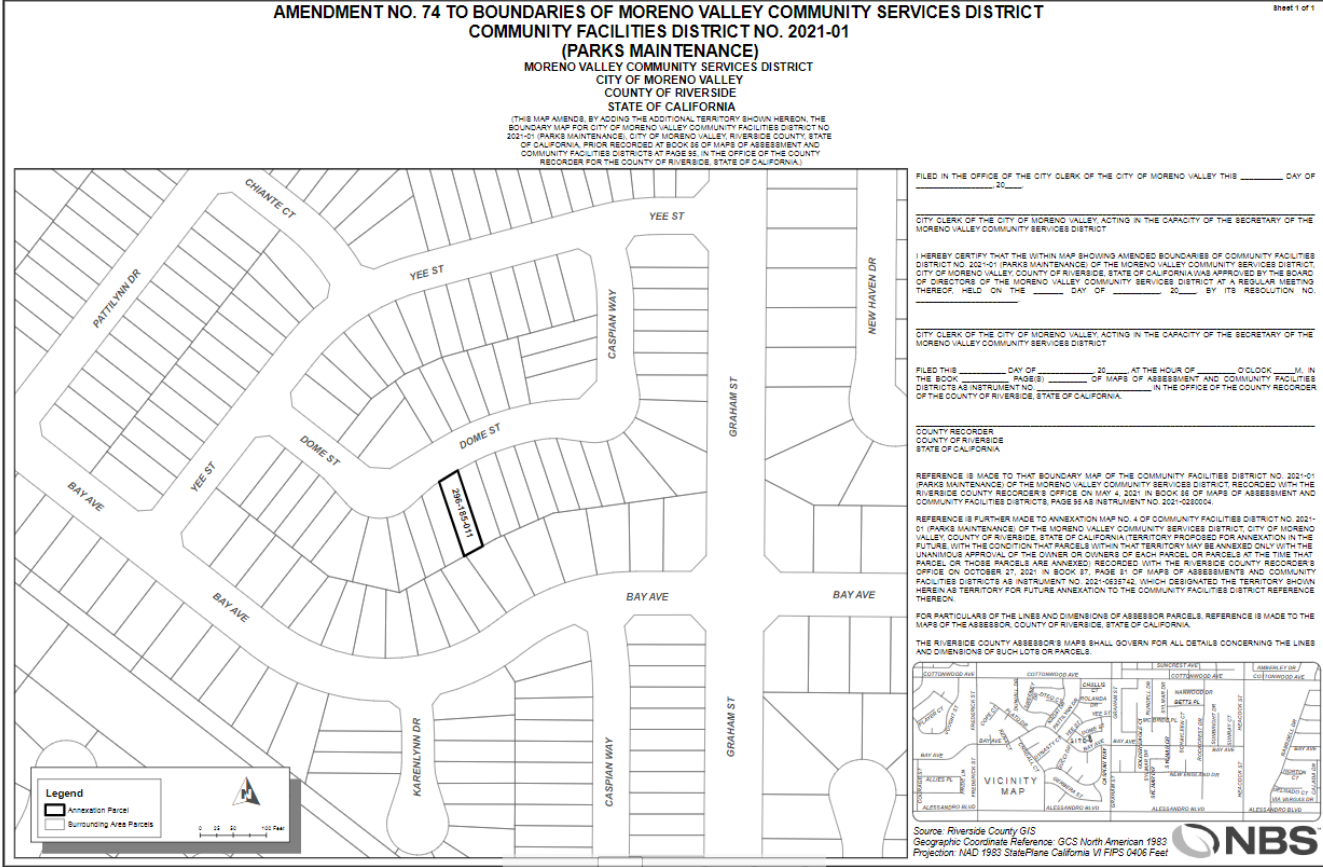
List of Annexation Parcels

Amendment Map No.	Assessor's Parcel Number
74	296-185-011

Attachment: Resolution Ordering Annexation - Amendment No. 74 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

Resolution No. CSD 2023-5
Date Adopted: February 21, 2023

EXHIBIT B



Attachment: Resolution Ordering Annexation - Amendment No. 74 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN

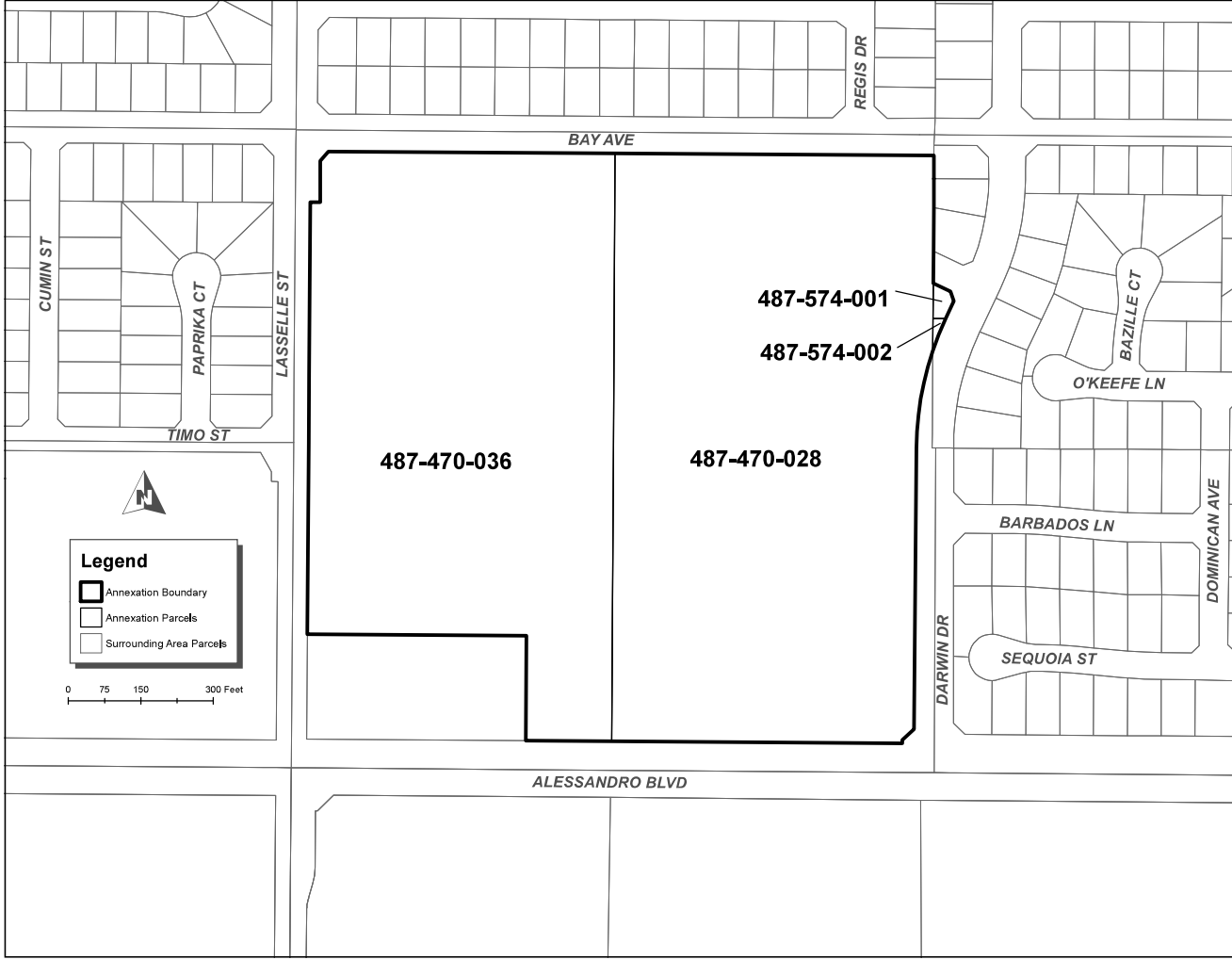
6
Resolution No. CSD 2023-____
Date Adopted: February 21, 2023

AMENDMENT NO. 59 TO BOUNDARIES OF MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2021-01
(PARKS MAINTENANCE)

Sheet 1 of 1

MORENO VALLEY COMMUNITY SERVICES DISTRICT
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. 2021-01 (PARKS MAINTENANCE), CITY OF MORENO VALLEY, RIVERSIDE COUNTY, STATE OF CALIFORNIA, PRIOR RECORDED AT BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 95 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.)



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING AMENDED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) 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 _____, 20____ BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

FILED THIS _____ DAY OF _____, 20____ AT THE HOUR OF _____ O'CLOCK _____ M. IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

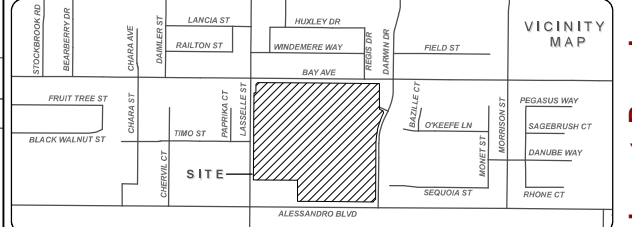
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON MAY 4, 2021 IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 95 AS INSTRUMENT NO. 2021-0280004.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 4 OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF 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 OCTOBER 27, 2021 IN BOOK 87, PAGE 81 OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2021-0635742, WHICH DESIGNATED THE TERRITORY SHOWN HEREIN AS TERRITORY FOR FUTURE ANNEXATION TO THE COMMUNITY FACILITIES DISTRICT REFERENCE THEREON.

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSOR, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



Source: Riverside County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet

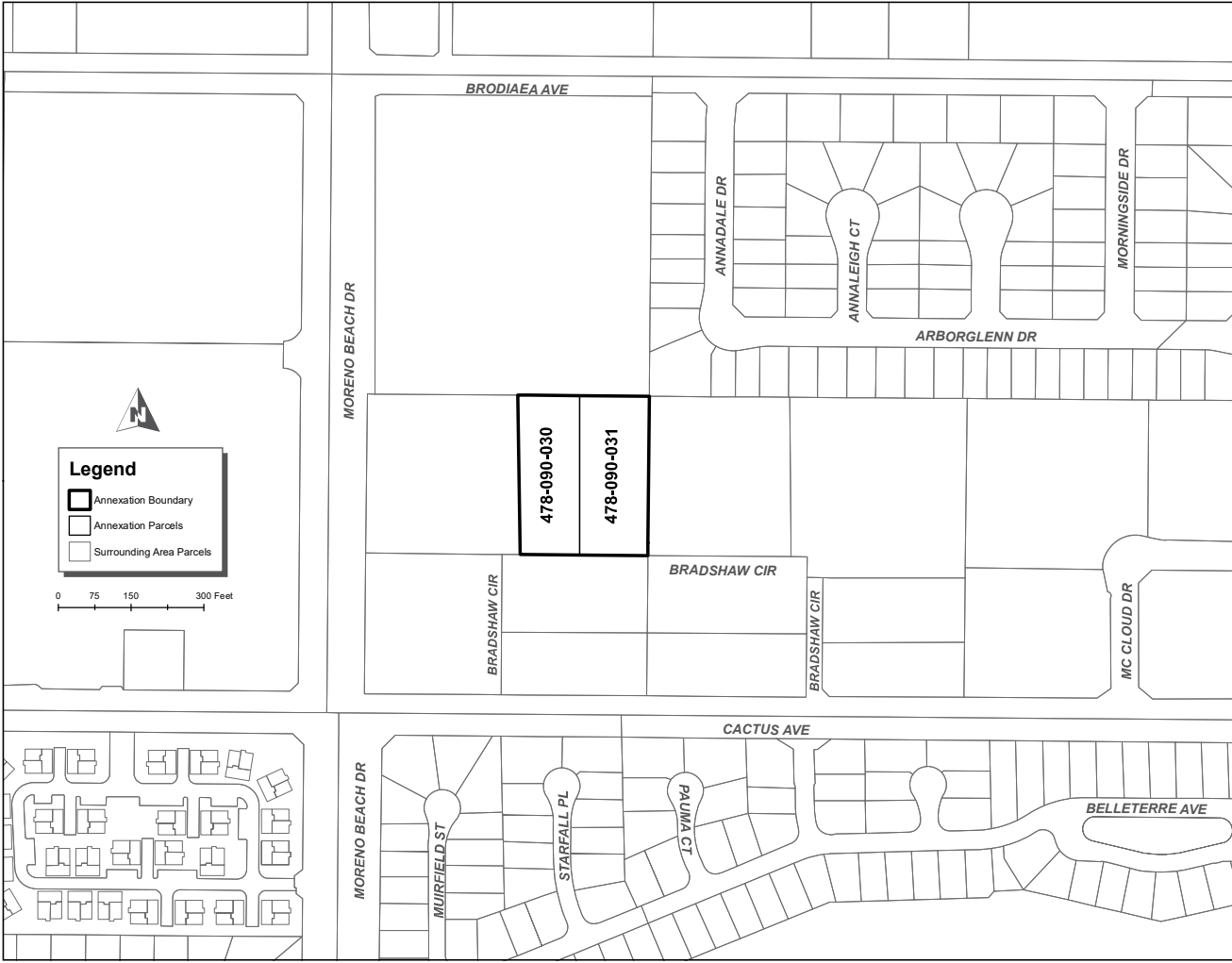


Attachment: Boundary Map - Amendment No. 59 (6094 : PURSUANT TO LANDOWNER PETITIONS,

AMENDMENT NO. 62 TO BOUNDARIES OF MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2021-01
(PARKS MAINTENANCE)

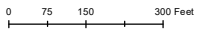
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

(THIS MAP AMENDS, BY ADDING THE ADDITIONAL TERRITORY SHOWN HEREON, THE BOUNDARY MAP FOR CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE), CITY OF MORENO VALLEY, RIVERSIDE COUNTY, STATE OF CALIFORNIA, PRIOR RECORDED AT BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 95, IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.)



Legend

- Annexation Boundary
- Annexation Parcels
- Surrounding Area Parcels



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20__.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING AMENDED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) 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 _____, 20__, BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

FILED THIS _____ DAY OF _____, 20__ AT THE HOUR OF _____ O'CLOCK _____ M. IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

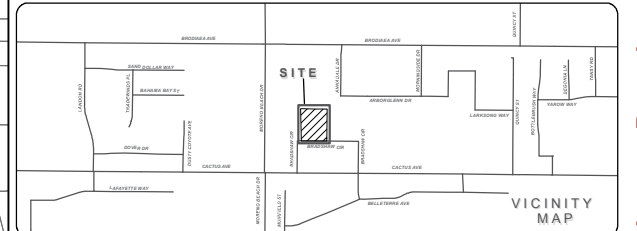
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON MAY 4, 2021 IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 95 AS INSTRUMENT NO. 2021-0280004.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 4 OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF 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 OCTOBER 27, 2021 IN BOOK 87, PAGE 81 OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2021-0635742, WHICH DESIGNATED THE TERRITORY SHOWN HEREIN AS TERRITORY FOR FUTURE ANNEXATION TO THE COMMUNITY FACILITIES DISTRICT REFERENCE THEREON.

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSOR, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



Source: Riverside County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet



Attachment: Boundary Map - Amendment No. 62 (6094 : PURSUANT TO LANDOWNER PETITIONS,

AMENDMENT NO. 63 TO BOUNDARIES OF MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2021-01
(PARKS MAINTENANCE)

Sheet 1 of 1

MORENO VALLEY COMMUNITY SERVICES DISTRICT
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. 2021-01 (PARKS MAINTENANCE), CITY OF MORENO VALLEY, RIVERSIDE COUNTY, STATE OF CALIFORNIA, PRIOR RECORDED AT BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 95 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.)



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20__

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING AMENDED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) 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 _____, 20__ BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

FILED THIS _____ DAY OF _____, 20__ AT THE HOUR OF _____ O'CLOCK _____ M. IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

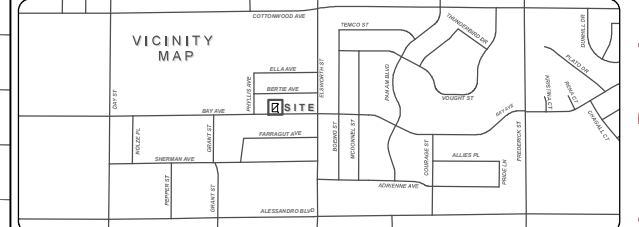
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON MAY 4, 2021 IN BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 95 AS INSTRUMENT NO. 2021-0280004.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 4 OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF 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 OCTOBER 27, 2021 IN BOOK 87, PAGE 81 OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2021-0635742, WHICH DESIGNATED THE TERRITORY SHOWN HEREIN AS TERRITORY FOR FUTURE ANNEXATION TO THE COMMUNITY FACILITIES DISTRICT REFERENCE THEREON.

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSOR, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



Source: Riverside County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet



Legend
[Box] Annexation Parcel
[Line] Surrounding Area Parcels
0 50 100 200 Feet
[North Arrow]

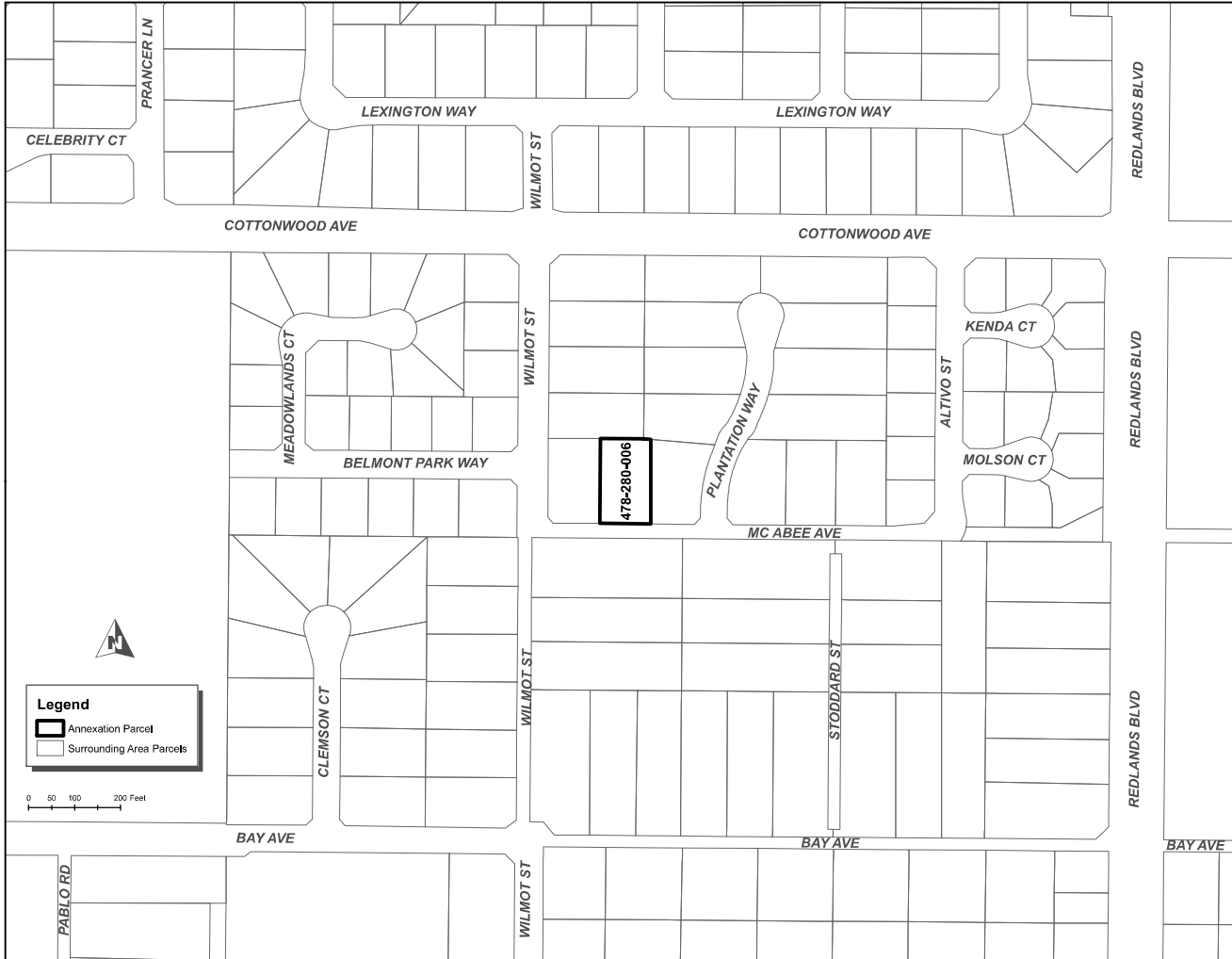
Attachment: Boundary Map - Amendment No. 63 (6094 : PURSUANT TO LANDOWNER PETITIONS,

AMENDMENT NO. 69 TO BOUNDARIES OF MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2021-01
(PARKS MAINTENANCE)

Sheet 1 of 1

MORENO VALLEY COMMUNITY SERVICES DISTRICT
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. 2021-01 (PARKS MAINTENANCE), CITY OF MORENO VALLEY, RIVERSIDE COUNTY, STATE OF CALIFORNIA, PRIOR RECORDED AT BOOK 86 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 95, IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.)



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING AMENDED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2021-01 (PARKS MAINTENANCE) 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 _____, 20____ BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

FILED THIS _____ DAY OF _____, 20____ AT THE HOUR OF _____ O'CLOCK _____ M, IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

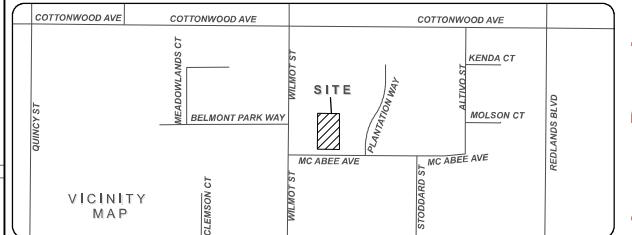
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



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Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet



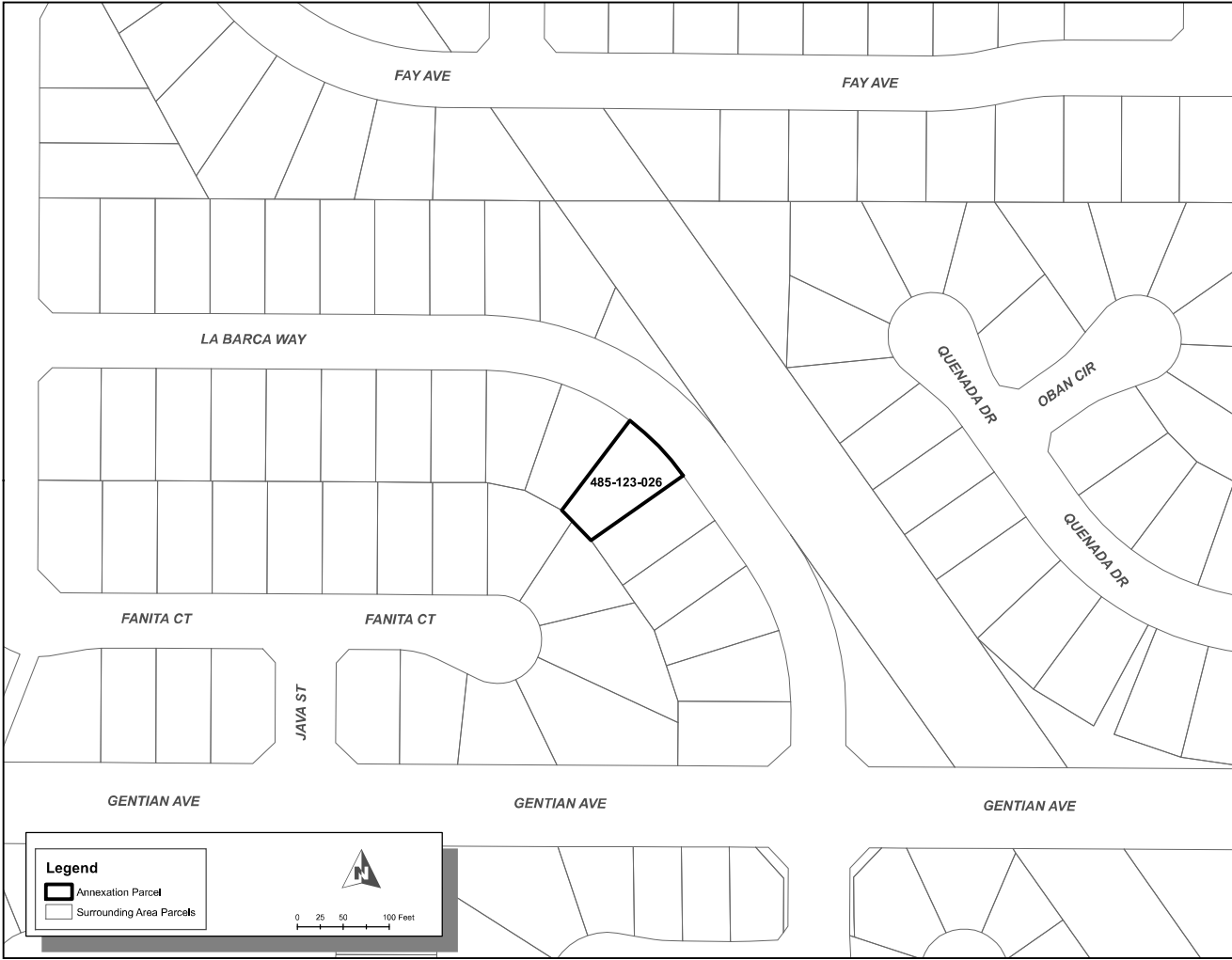
Attachment: Boundary Map - Amendment No. 69 (6094 : PURSUANT TO LANDOWNER PETITIONS,

AMENDMENT NO. 72 TO BOUNDARIES OF MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2021-01
(PARKS MAINTENANCE)

Sheet 1 of 1

MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20__.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

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CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

FILED THIS _____ DAY OF _____, 20__ AT THE HOUR OF _____ O'CLOCK _____ M, IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

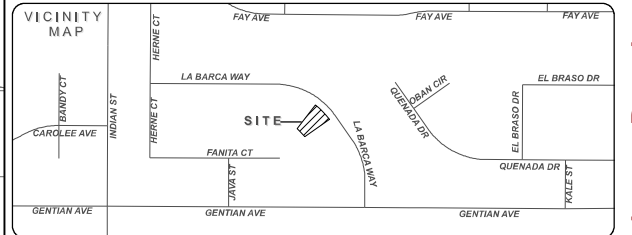
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California VI FIPS 0406 Feet



Legend
[Black outline] Annexation Parcel
[Grey outline] Surrounding Area Parcels
North arrow
Scale: 0 25 50 100 Feet

Attachment: Boundary Map - Amendment No. 72 (6094 : PURSUANT TO LANDOWNER PETITIONS,

AMENDMENT NO. 74 TO BOUNDARIES OF MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY FACILITIES DISTRICT NO. 2021-01
(PARKS MAINTENANCE)

Sheet 1 of 1

MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY OF MORENO VALLEY
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF MORENO VALLEY THIS _____ DAY OF _____, 20____.

CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

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CITY CLERK OF THE CITY OF MORENO VALLEY, ACTING IN THE CAPACITY OF THE SECRETARY OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

FILED THIS _____ DAY OF _____, 20____ AT THE HOUR OF _____ O'CLOCK _____ M, IN THE BOOK _____ PAGE(S) _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

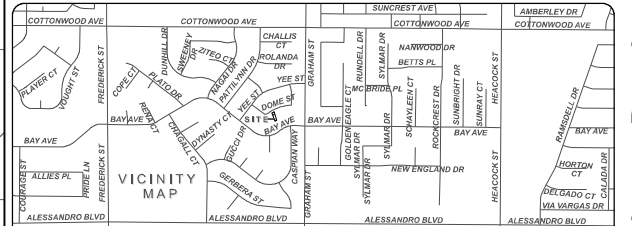
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

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Legend
Annexation Parcel
Surrounding Area Parcels
0 25 50 100 Feet

Attachment: Boundary Map - Amendment No. 74 (6094 : PURSUANT TO LANDOWNER PETITIONS,

**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 **February 8, 2023**, I did verify the completeness of the Landowner Petition for the annexation of property into:

COMMUNITY FACILITIES DISTRICT NO. 2021-01 OF THE
MORENO VALLEY COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY

AMENDMENT NO. 59

WITNESS my hand this _____ 8th _____ day of _____ February _____, 2023.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 59 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS

**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 **December 29, 2022**, I did verify the completeness of the Landowner Petition for the annexation of property into:

COMMUNITY FACILITIES DISTRICT NO. 2021-01 OF THE
MORENO VALLEY COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY

AMENDMENT NO. 62

WITNESS my hand this ____29th____ day of _____ December _____, 2022.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 62 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS

**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 **January 11, 2023**, I did verify the completeness of the Landowner Petition for the annexation of property into:

COMMUNITY FACILITIES DISTRICT NO. 2021-01 OF THE
MORENO VALLEY COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY

AMENDMENT NO. 63

WITNESS my hand this _____ 11th _____ day of _____ January _____, 2023.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 63 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS

**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 **January 12, 2023**, I did verify the completeness of the Landowner Petition for the annexation of property into:

COMMUNITY FACILITIES DISTRICT NO. 2021-01 OF THE
MORENO VALLEY COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY

AMENDMENT NO. 69

WITNESS my hand this ___ 12th ___ day of ___ January ___, 2023.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 69 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS

**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 **January 12, 2023**, I did verify the completeness of the Landowner Petition for the annexation of property into:

COMMUNITY FACILITIES DISTRICT NO. 2021-01 OF THE
MORENO VALLEY COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY

AMENDMENT NO. 72

WITNESS my hand this ____12th____ day of ____January____, 2023.



ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 72 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS

**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 **January 30, 2023**, I did verify the completeness of the Landowner Petition for the annexation of property into:

COMMUNITY FACILITIES DISTRICT NO. 2021-01 OF THE
MORENO VALLEY COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY

AMENDMENT NO. 74

WITNESS my hand this 30th day of January, 2023.

Jane Halsted
ELECTION OFFICIAL
CITY OF MORENO VALLEY
STATE OF CALIFORNIA

Attachment: Certificate of Election Official - Amendment No. 74 (6094 : PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: February 21, 2023

TITLE: APPEALS OF PLANNING COMMISSION APPROVAL OF PLOT PLAN FOR AN AUTOMOBILE PARKING LOT

RECOMMENDED ACTION

Recommendations: That the City Council:

- A. **ADOPT** Resolution No. 2023-XX, attached hereto, **DENYING** Appeals PAA22-0005 and PAA23-0003, upholding the Planning Commission's decision approving the Plot Plan for the Automobile Parking Lot

AND:

1. **CERTIFYING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan PEN21-0102 on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the proposed Project's potential environmental impacts; and
 2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Plot Plan PEN21-0102 pursuant to CEQA and the CEQA Guidelines; and.
- B. **ADOPT** Resolution No. 2023-XX attached hereto,

3. **APPROVING** the Planning Commission’s approval of Plot Plan PEN21-0102 based on the Recitals, Evidence contained in the Administrative Records, and Findings as set forth in Resolution No. 2023-XX.

SUMMARY

This staff report recommends denying Appeals PAA22-0005 (County of Riverside) and PAA23-0003 (Department of the Air Force) and approving PEN21-0102, which upholds the Planning Commission’s approval of the Proposed Project, which consists of a Plot Plan application for an automobile parking lot on 9.14 acres located on the east side of Heacock Street north of the Perris Valley Storm Drain in the Moreno Valley Industrial Area Specific Plan 208, Clear Zone District (Specific Plan 208). This staff report also recommends that the City Council certify the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Proposed Project.

DISCUSSION

Planning Commission Decision

The Proposed Project was scheduled to be heard by the Planning Commission at a duly noticed public hearing on October 27, 2022. However, the item was continued at the applicant’s request to December 22, 2022.

On December 22, 2022, the Planning Commission approved the proposed project after conducting the public hearing. The Planning Commission voted 5-0 with 1 abstention, to adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve the Plot Plan for the proposed automobile parking lot. The Planning Commission also approved a modification to conditions of approval number 102, to revise the timing of the fair share contribution for the City of Perris for impacts to the City of Perris roadways from “prior to building permit” to “prior to occupancy.”

The Planning Commission’s decision was appealed by the County of Riverside (PAA22-0005) and the Department of the Air Force (PAA23-0003) within the Municipal Code’s 10-day appeal period.

Findings and Conditions of Approval

Pursuant to Section 9.02.070 (Plot Plan) of the Municipal Code, the Proposed Project was subject to the major development review process, which is why it was presented to the Planning Commission, which is vested with the authority to approve plot plans of this nature.

The Planning Commission approved the Proposed Project based on the following findings, as required under Section 9.02.070 (Plot Plan) of the Municipal Code:

1. The Proposed Project is consistent with the goals, objectives, policies, and programs of the general plan;

2. The Proposed Project complies with all applicable zoning and other regulations;
3. The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
4. The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

In addition to making the above findings, the Planning Commission imposed various conditions of approval on the Proposed Project regarding on-site improvements, off-site improvements, the manner in which the site is used and other conditions the Planning Commission deemed necessary to protect the public health, safety and welfare to ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning & Zoning) of the Municipal Code.

Basis of Appeals

Pursuant to Section 9.02.240 (Appeals), any affected party may appeal a decision of the Planning Commission to the City Council. The appeal must be addressed to the City Council in a letter submitted to the Community Development Director and shall be accompanied by the required appeal fee. The appellant is also required to state the specific reasons for the appeal. Section 9.02.240 further provides that public notice of an appeal hearing shall be provided and that an action which has been appealed shall not become effective until a final determination is made by the City Council.

In the appeal letter dated January 3, 2023, the Department of the Air Force provides the following specific reasons for its appeal:

- Plot Plan Does Not Meet the Requirements under the City Code
- The Proposed Project Would Be Detrimental to Public Health, Safety, and Welfare Risks, and Presents Mission Sustainment Concerns
- Approval of Plot Plan is Not Consistent with Moreno Valley General Plan
- Approval of Plot Plan is Not Consistent with Specific Plan 208
- Approval of Plot Plan is Not Consistent with Use of Open Spaces
- Approval of Plot Plan is Not Consistent with the Airport Land Use Compatibility Plan (ALUCP)
- Overrule by Two-Thirds with Specific Findings is Required
- Municipal Code Does Not Allow Ignoring Valid Legal Covenants Such as the Air Force's 1984 Restrictive Easement
- Avigation Easement vs. March ARB Perpetual Easement
- Community Partnership and Operational Military Missions

In the appeal letter dated December 29, 2022, the County of Riverside references its letter to the Planning Commission dated October 28, 2022, which contained the County's concerns relating to:

- Public health and safety given the Project's location in Compatibility Zone A as identified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, including the Project's inconsistency with that plan, the City

General Plan, Department of Defense requirements, recorded easement restrictions, and the requirements of the California Environmental Quality Act ("CEQA").

The County also joined in on the “many of the concerns raised by others, including the U.S. Department of the Air Force and Air Force Reserve Command, Congressman Mark Takano, Congressman Ken Calvert, the March Joint Powers Authority (March JPA), March Air Museum, the City of Norco, Riverside County Airport Land Use Commission (ALUC) and the Greater Riverside Chambers of Commerce and its Military Affairs Council.”

The County also purports that the “parking lot use in the Clear Zone will be detrimental to the national defense operations at the March ARB. Parking lots are prohibited in the Clear Zone by U.S. Department of Defense Instruction (DoDI) No. 4165.57.”

Restrictive Easement

Notwithstanding the specific reasons for the appeals as described above, the primary contention of the appellants appears to be over the restrictive easement that the appellants argue does not permit the approval of the Proposed Project. While staff does not contest the existence of the restrictive easement, staff believes that the restrictive easement does not prevent the City from approving the Proposed Project.

When exercising their police power, cities and counties must comply with constitutional principles of due process. Cal Const art I, §7. In particular, their regulations must be applied in a manner that is reasonable, nondiscriminatory, and neither arbitrary nor capricious. See, *Loewenstein v City of Lafayette* (2002) 103 CA4th 718; *G & D Holland Constr. Co. v City of Marysville* (1970) 12 CA3d 989; *Village of Willowbrook v Olech* (2000) 528 US 562, 565, 120 S Ct 1073; and *Gerhart v Lake County Mont.* (9th Cir 2011) 637 F3d 1013. The exercise of police power, however, may not be limited by restrictive covenants that do not include the City as a party. (*Acker v. Baldwin* (1941) 18 Cal.2d 341, 345 [115 P.2d 455]; *Wheeler v. Gregg* (1949) 90 Cal.App.2d 348, 367 [203 P.2d 37].) Basically, agreements as to the use of property are immaterial to the validity of a particular zoning ordinance. (*O'Rourke v. Teeters* (1944) 63 Cal.App.2d 349, 352 [146 P.2d 983].) Even though the City's decision on the Proposed Project is not controlled by the subject restrictive easement, the appellants still have remedies available to them to enforce the easement, which includes actions for declaratory relief and to quiet title. These kinds of actions are brought to establish and determine the scope of easements. In other words, even if the City approves the Proposed Project, the appellants have other remedies available to them rather than suing the City.

Proposed Project

Plot Plan

The Planning Commission approved the Applicant's proposed automobile parking lot to accommodate approximately 194 parking stalls on a 9.14-acre parcel consistent with Clear Zone District of Moreno Valley Industrial Area Specific Plan 208 (Specific Plan 208). The parking lot has been designed and planned to include landscape, lighting, fencing, and water quality improvements.

Site/ Surrounding Area

The Project Site is approximately 9.14 acres and is located on the east side of Heacock Street just north of the Perris Valley Storm Drain.

Surrounding land uses include developed industrial uses to the north and northeast of the Project Site, within Specific Plan 208, the Perris Valley Storm Drain to the south of the Project Site, and March Air Reserve Base (MARB) to the west of the Project Site.

Access

Access to the Project Site will be from a single 40-foot wide, 75-foot-deep driveway along Heacock Street, with a gated entry.

Design/Landscaping

The parking lot will be designed per the City standards, with Asphalt Concrete pavement, drainage, and water quality treatment areas. All parking lot end islands and parking fingers within the lot will meet the minimum standards to include five feet of landscape areas, step-outs, and curbing.

Tubular steel fencing will be used on Heacock Street along 100 feet on the north and south property lines, with coated chain link on the remaining portions of the perimeter fencing, consistent with the Specific Plan 208 requirements.

Drought-tolerant shrubs will be planted in the landscape areas within the parking lot and along the Heacock Street frontage. Due to the proximity to March Air Reserve Base, trees are not required to ensure compliance with the March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan.

Environmental

An Initial Study was prepared by CASC Engineering and Consulting, Inc., in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study examined the Proposed Project's impacts on the environment. The Initial Study/Mitigation Negative Declaration (IS/MND) provides information in support of the finding that a Mitigated Negative Declaration serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality and Global Climate Change Impact Analysis, Burrowing Owl Focused Survey Report, Cultural Report, Paleontological Report, Geotechnical Investigation and Percolation Test Results, EDR Radius Map, Preliminary Drainage Analysis, Preliminary

Water Quality Maintenance Plan, and Traffic Impact Analysis. The electronic files for the IS/MND with appendices are attached to this staff report. Public inspection of the above documents have been made available at City Hall.

Mitigation Measures are recommended for the Proposed Project in the following areas: Air Quality, Biological Resources, Cultural Tribal Resources, and Hydrology. The measures for Tribal resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential Tribal resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study, and the proposed mitigation measures, the Proposed Project will not cause any significant impacts or environmental damage.

The public comment period for the Notice of Availability for the Initial Study/Mitigated Negative Declaration began on September 29, 2022, and ended on October 18, 2022, which satisfied the required 20-day review period.

ALTERNATIVES

1. Conduct a public hearing and take action to DENY THE APPEALS PAA22-0005 AND PAA23-0003, and, **CERTIFY** the Initial Study/Mitigated Negative Declaration and **ADOPT** the Mitigated Monitoring and Reporting Program, and **APPROVE** the Plot Plan consistent with the Staff recommendations to the Planning Commission. Staff recommends this alternative.
2. Conduct a public hearing on the Project and uphold the appeals, PAA22-0005 and PAA23-0003, and do not approve the applications. Staff does not recommend this alternative.

FISCAL IMPACT

Not applicable

NOTIFICATION

Notice of the public hearing was sent to all property owners of record within 600 feet of the Project Site. The public hearing notice was also posted on the Project Site and published in the Press Enterprise newspaper.

PREPARATION OF STAFF REPORT

Prepared By:
Julia Descoteaux
Senior Planner

Department Head Approval:
Manuel A. Mancha
Community Development Director

Concurred By:
Sean Kelleher
Planning Official

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

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. PAA22-0005 Appeal Letter Riverside County
2. PAA23-0003 Dept of Air Force_MARB
3. 2023-XX_Resolution IS-MND
4. Exhibit A to Reso 2023-XX Heacock Logistics Initial Study
5. Appendix A Air Quality & Global Climate Change Impact Analysis (October 12, 2021)
6. Appendix B Burrowing Owl Focused Survey Report (June 16, 2021)
7. Appendix C Cultural Report (September 25, 2021)
8. Appendix D Paleontological Report (September 27, 2021)
9. Appendix E Geotechnical Investigation & Percolation Test Results (March 18, 2021)
10. Appendix F EDR Radius Map (October 6, 2021)
11. Appendix G Preliminary Drainage Analysis-Proposed Heacock Logistics (April 2022)
12. Appendix H Preliminary Water Quality Maintenance Plan (WQMP) (April 18, 2022)
13. Appendix I Traffic Impact Analysis (May 19, 2022)
14. Exhibit B to Resolution 2023-XX_NOI - PEN21-0102-0103
15. Exhibit C to Resolution 2023-XX_Mitigation Monitoring & Reporting Program
16. 2023-XX_Resolution Plot Plan
17. Exhibit A to 2023-XX Resolution Plot Plan COAs modified - PC No. 102
18. Zoning Map
19. Project Plans
20. Planning Commission Staff Report December 22, 2022
21. Planning Commission Resolution 2022-41 ISMND

- 22. Planning Commission Resolution 2022-42 PP
- 23. Initial Study Comment
- 24. Comments Received
- 25. Comments to PC at meeting with memo 12222022
- 26. Comment Letter_DEC_Rec_12-27-2022

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/16/23 1:00 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/16/23 1:14 PM



EXECUTIVE OFFICE

JEFFREY A. VAN WAGENEN, JR.
COUNTY EXECUTIVE OFFICER

JUAN C. PEREZ
CHIEF OPERATING OFFICER

DAVE ROGERS
CHIEF ADMINISTRATIVE OFFICER

SAYORI BALDWIN, ASSISTANT CEO
HUMAN SERVICES

BRENDA DIEDERICH, ASSISTANT CEO
SPECIAL PROJECTS

CHARISSA LEACH, ASSISTANT CEO
PUBLIC WORKS & COMMUNITY SERVICES

ZAREH SARRAFIAN, ASSISTANT CEO
HEALTH SYSTEM

December 29, 2022

Via hand-delivery

City Council, City of Moreno Valley
c/o Mr. Manuel Mancha, Community Development Director
14177 Frederick Street
Moreno Valley, CA 92552

Re: *County of Riverside Appeal of Project PEN21-0102*

Dear Mayor Cabrera and Members of the Moreno Valley City Council,

We are providing this letter and attached required appeal fee on behalf of the County of Riverside ("County") in appeal of the December 22, 2022, decision of the City of Moreno Valley Planning Commission approving Project PEN21-0102 ("the Project"), including the approval of the related Mitigated Negative Declaration and associated Resolution Nos. 2022-41 and 2022-42. The Project at issue is a 9.14-acre parking lot on the east side of Heacock Street.

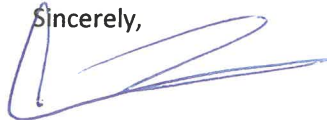
The County has a number of concerns relating to the Project's compliance with mandatory legal requirements and planning documents, its impacts on the March Air Reserve Base ("March ARB"), and its potentially significant environmental impacts, particularly those relating to safety and land use compatibility. We appreciate this opportunity to raise our concerns to the City of Moreno Valley ("the City") City Council ("City Council").

Prior to the Planning Commission meeting, the County submitted written statements, on October 28, 2022, raising concerns relating to public health and safety given the Project's location in Compatibility Zone A as identified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, including the Project's inconsistency with that plan, the City General Plan, Department of Defense requirements, recorded easement restrictions, and the requirements of the California Environmental Quality Act ("CEQA"). In addition to reiterating those concerns as part of this appeal, the County is also joining in many of the concerns raised by others, including the U.S. Department of the Air Force and Air Force Reserve Command, Congressman Mark Takano, Congressman Ken Calvert, the March Joint Powers Authority (March JPA), March Air Museum, the City of Norco, Riverside County Airport Land Use Commission (ALUC) and the Greater Riverside Chambers of Commerce and its Military Affairs Council.

As stated in the County's letter dated, October 28, 2022, the City and the County, along with the neighboring jurisdictions through the March JPA, have been working diligently and cooperatively to ensure the long-term protection of March ARB due to the economic impact to the members and the entire region with previous figures from 2014 calculated at \$579 million. These efforts include an updated March Compatibility Use Study that is currently underway.

During this appeal process, we will be respectfully urging the City Council to consider additional information and reevaluate the Project approvals in light of the many significant problems and consider actions that could avoid noncompliance with the Riverside County Airport Compatibility Use Plan (ALUCP), protect March ARB, and best benefit the surrounding community and stakeholders. Given the County and the City's ongoing partnership in the region and our common interests in protecting the public, the local environment, and March ARB, we hope this appeal facilitates an in-depth discussion and additional analysis of the issues relating to the Project and allows for renewed dialogue among the affected agencies, and the applicant in an attempt to reach a solution that meets the needs of all parties while ensuring appropriate protection of the public, the environment, and the Base.

Sincerely,



Juan C. Perez
Chief Operating Officer
County of Riverside

cc (by email only): County of Riverside Board of Supervisors
Jeff Van Wagenen, Chief Executive Officer
Tina Grande, Principal Policy Analyst

Enclosure



**DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE COMMAND**

January 3, 2023

Colonel J. Corey Reed
Vice Commander
452d Air Mobility Wing
2145 Graeber Street, Building 470
March ARB, CA 92518

Manuel Mancha
Community Development Director
City of Moreno Valley
14177 Frederick Street, PO Box 88005
Moreno Valley, CA 92552

Dear Mr. Mancha:

I am the installation vice commander for March Air Reserve Base (ARB). On behalf of March ARB, United States Air Force, I hereby appeal the December 22, 2022 decision of the Moreno Valley Planning Commission (City Planning Commission) approving a Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres proposed to be located in the Clear Zone off the runway of March ARB in the Airport Compatibility Zone of the City of Moreno Valley.

The proposed development presents unacceptable safety risk and a use that is incompatible with joint use airfield. The sustainment of March ARB and its current and future missions and personnel would be adversely affected by the proposed development. Additionally, the owner/developer's real property interest in the subject property is severely restricted by an easement held by the United States.

The Planning Commission's decision does not comply with City law because it does not meet the requirements for approval of a plot plan, including coordination contemplated under Additionally, coordination under City policy and state law has not been observed. Moreover, the City failed to adequately address project environmental impacts pursuant to the California Environmental Quality Act (CEQA), as the project would have significant and unavoidable impacts on airport operations. The City Planning Staff also did not consider that an overrule by two-thirds of the City Council is necessary for approval of the project because the Riverside County Airport Land Use Commission personnel testified at the hearing and provided an October 25, 2022 letter finding that the proposal is inconsistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP). Additionally, the Planning Commission failed to properly consider the Air Force's restrictive easement which is contrary to city development code. Accordingly, as discussed in more detail below, and to be supplemented before the City's determination on this appeal, I respectfully request that the City Council deny PEN21-0102 or remand the matter to the Planning Commission for further consideration.

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

BACKGROUND AND CONTEXT

March ARB History and Mission

March ARB is a 2,300+ acre joint use air installation located in western Riverside County which has its origins before the end of the World War I. March ARB 2018 AICUZ at 2-1 – 2-3. Currently, March ARB's primary mission is to provide airlift support for the USAF and to train in tactical airlift and airdrop of personnel and supplies in combat, air refueling, and aeromedic evacuation. *Id.* at 2-6. The host wing, the Air Force Reserve Command's 452nd Air Mobility Wing, includes several flying units, including the 452nd Operations Group, the 452nd Mission Support Group, includes the 729th Airlift Squadron, and the 336th Air Refueling Squadron. According to the 2018 AICUZ, March ARB projected 52,172 flight operations for the years following 2018, 31,000+ of which conducted by host wing, tenant, and transient military aircraft. AICUZ Study at 3-9 & Table 3-2. Large transport (C-17 Globemaster) and tanker aircraft (currently the KC-135 Stratotanker) comprised the largest numbers of aircraft operations on the military side of the joint use airstrip. *Id.*

Notable tenant organizations at March ARB provide value not just to our region, but to the entire nation. The California Air National Guard's 163rd Attack Wing provides remotely piloted aircraft (MQ-9 Reapers). These assets have been used to assist firefighters in California, in addition to the worldwide operational military missions. *See* 163rd Attack Wing website, accessible at <https://www.163atkw.ang.af.mil/News/Article-Display/Article/1343068/163d-attack-wing-activates-for-fire-support>. Additionally, U.S. Customs and Border Protection operates the Air and Marine Operations Center, or AMOC is a state-of-the-art, multi-domain law enforcement and operations center located at March Air Reserve Base in Riverside, California. AMOC uses sophisticated technology to detect, identify, track, and direct the interdiction of suspect aviation and maritime targets in the Western Hemisphere. <https://www.cbp.gov/border-security/air-sea/about/leadership>.

March ARB is a strong economic driver for the region, employing over 8,500 military personnel, as well as some 1,500 local civilians and contractors, and supporting nearly 200 Department of Defense programs. The base provides more than \$500 million in economic impact to the region. <https://www.riverside-chamber.com/JobCreation.cfm>.

Air Force Land Uses Across the Department of Defense

March ARB's concerns about PEN21-0102 are consistent with Department of Defense and Air Force policy with respect to compatible development outside air installations. Many Air Force installations were built in relatively remote areas. Air Force Handbook (AFH) 32-7084, Air Installation Compatible Use Zoning Program Manager's Guide (November 2, 2017), at 5, accessible at: https://static.e-publishing.af.mil/production/1/af_a4/publication/afh32-7084/afh32-7084.pdf. Urban and suburban growth has since extended into the vicinity of these installations. *Id.* at 5-6. When incompatible development occurs near an installation or training area, affected parties within the community may seek relief through political channels that could restrict, degrade, or eliminate capabilities necessary to perform the defense mission. *See* March ARB 2018 AICUZ Study, at 1-1, accessible at <https://www.march.afrc.af.mil>.

Air Installation Compatible Use Zone (AICUZ) Program

The Department of Defense and the United States Air Force established the Air Installation Compatible Use Zone (AICUZ) Program in 1973 to protect the health, safety, and welfare of persons outside air installations from the effects of aircraft operations, while ensuring the continued viability of the military flying missions. AFH 32-7084 at 6. The AICUZ program applies to all military air installations in the United States. DoD Instruction (DoDI) 4165.57, Air Installations Compatible Use Zones [AICUZ] (December 13, 2021), at 3, accessible at <https://www.esd.whs.mil/directives/issuances/dodi>.

The Air Force achieves this policy goal by promoting compatible development within the AICUZ area of responsibility by, among other things, encouraging State and local governments to adopt and implement comprehensive planning processes and land use controls that ensure compatible development around military airfields. DoDI 4165.57 at 3; AFH 32-3084 at 6.

AICUZ has three primary concerns: (1) land use compatibility; (2) noise concerns due to military flight and other operations; (3) flight hazards and interference with navigation posed by the height of objects, visual and electromagnetic interference and bird wildlife aircraft strike hazards. AFH 32-3084 at 8-15.

With respect to land use compatibility, the military conducted studies of historic accident and operations data throughout the military. AFH 32-3084 at 8; March AICUZ Study at 5-1. The studies showed that most aircraft mishaps occur on or near the runway. March ARB AICUZ Study at 5-1. Based on these studies, the Department of Defense identified Clear Zones and Accident Potential Zones as areas where an aircraft accident is most likely to occur if an accident were to take place – these zones are not predictors of accidents. Specifically, AICUZ considers many types of buildings, structures and obstacles, explained in chart format with notations. DoDI 4165.57 at Table 1; AFH 32-3084 at Table A2.1; March AICUZ Study at Appendix A.

The Clear Zone is the area immediately beyond the end of a runway extending outward 3,000 feet with a width of 3,000 feet. It is the area with the highest accident potential. *Id.* at 9. Within the Clear Zone, most uses, including automobile parking, are incompatible with military aircraft operations. DoD 4165.57 at 14; AFH 32-7084 at 57-62; AICUZ Study at 5-2. For this reason, it is the Air Force policy, where possible, to acquire real property interests in land within the Clear Zone to ensure incompatible development does not occur. March AICUZ Study at 5-2; AFH 32-3084 at 8. Consistent with these national objectives, the Air Force purchased a perpetual easement over the entirety of the subject property in 1984. The United States easement encumbering the subject property imposes extensive land use restrictions. *See* Attachment 1 at 3-8. Among other things, the easement authorizes the United States to prohibit all land uses other than agriculture, grazing, permanent open space, existing water areas, and rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails; single tract railroads; communications; and utilities. *Id.* The easement also provides the United States with the right to prohibit: electrical emissions which would interfere with aircraft or Air Force communications or aircraft navigation systems, and light emissions that could interfere with pilot vision. *Id.* The easement also provides the United States with the right to cut to ground level any form of obstruction that the Air Force determines might interfere with the operation of aircraft, including

emergency landings, and the right to prohibit and remove any buildings or other non-frangible structures. *Id.*

Accident Potential Zone I is a rectangular area extending from the Clear Zone an additional 5,000 feet. AFH 32-3084 at 8. Accident Potential Zone I has a considerable potential for accidents. *Id.* Accident Potential Zone II extends from APZ I an additional 7,000 feet, and has less accident potential, but still warrants land use restriction in this area. *Id.*

The heart of the AICUZ program is the installation-specific AICUZ Study. AFH 32-7084 at 8. An initial AICUZ study was completed for March ARB in 1988, which was then updated in 2005 and 2018. March ARB 2018 AICUZ at 1-2 – 1-3. Among other things, the 2018 AICUZ Study provides extensive detail on the Air Force current and projected air operations and evaluates land use compatibility outside the installation in the various surrounding jurisdictions. Consistent with DOD and Air Force guidance, the March ARB AICUZ Study identifies automobile parking is an incompatible land use for the Clear Zone. March ARB 2018 AICUZ Study at A-3. The 2018 AICUZ Study notes that the land uses for all 36 acres of the Clear Zone within the City of Moreno Valley were deemed compatible with the Clear Zone. *Id.* at 6-23 & Figures 6-6 & 6-8. California is one of the many states that have adopted legislation designed to protect airfields from encroachment. AFH 32-3084 at 6.

California Environmental Quality Act (CEQA)

California law requires local governments to evaluate environmental impacts of projects that they approve under the California Environmental Quality Act, CAL. PUB. RES. §§ 21000 *et. seq.* (CEQA). CEQA provides three tiers of environmental review. The first tier, requires an agency conduct a preliminary review to determine whether CEQA applies to a proposed activity. CEQA authorizes the state-level agency director to issue guidelines with lists classes of projects that do not have a significant impact on the environment, and may appropriately be exempted from CEQA. CAL. PUB. RES. § 21084. If the project does not fall within any exemption, the agency must proceed with the second tier, and conduct an initial study. Cal. Code. Regs. tit. 14 § 15063. The agency's initial study determines that "there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial," then the agency shall prepare an EIR. *Id.* at § 15063(b)(1).

If there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, then the agency shall prepare a negative declaration, briefly describing the reasons supporting that determination. *Id.* at § 15063(b)(2).

In some instances, the initial study identifies 'potentially significant effects,' but determines that revisions to the project plans or proposal would avoid or mitigate the effects to a point where clearly no significant effects would occur. *Id.* at § 15070(b). In this situation, a 'mitigated negative declaration' (MND) is prepared, which identifies the mitigation measures included to avoid potentially significant effects. *Id.* at § 15071(e).

If a proposed project may have a significant impact on the environment, the local government must prepare an environmental impact report (EIR). The purpose of the EIR is to provide public agencies and the public with detailed information about the effect which a proposed project is

likely to have on the environment; to list ways in which the significant impacts of the project might be minimized; and to indicate alternatives to such a project. CAL. PUB. RES. § 21061.

California Laws Regarding Cooperation with the Military in Land Development

California law also expressly encourages cooperation between military installations and local communities to reduce land use conflicts between civilian development and military readiness. CAL. GOV'T CODE §§ 65302, 65560. Specifically, California law requires local governments to notify military installations of certain local planning and development proposals. CAL. GOV'T CODE §§ 65352, 65940, 65944.

California law requires that all local government General Plans consider the impact of new growth on military readiness activities carried out on military bases when proposing zoning ordinances or designating land uses covered by the General Plan. CAL. GOV'T CODE § 65302.

City of Moreno Valley General Plan

The City of Moreno Valley's General Plan discusses considerations relative to the Clear Zone. City of Moreno Valley General Plan at 4-8, accessible at <https://www.moval.org/cdd/documents/general-plan-documents.html>.

The General Plan discusses the county's ALUCP, the City's special airport compatibility zoning overlay, the March ARB 2018 AICUZ Study, and DoD guidance. General Plan at 4-7 – 4-8, 6-20 – 6-21. Among other things, it explains that the City's special airport compatibility zoning overlay “limits public exposure to aircraft accidents and noise and encourages future development that is compatible with the continued operation of March ARB.” General Plan at 6-20. The General Plan explains that the then current use of land in the City of Moreno Valley in the Clear Zone meets the requirements of Department of Defense guidance, but “any future development may be constrained.” *Id.* at 4-8. General Plan further states that “on-going coordination with March ARB, the county commission and the March Joint Powers authority, “will help to reduce the exposure of people and property to hazards from any flight accidents, as well as reduce the risk of an accident for aircraft in flight over the city. *Id.* at 6-20.

The General Plan explains that the City will, consistent with City Policy C.2-13 of the circulation component of the General Plan, coordinate with March ARB and the ALUC to ensure that Heacock Street within the Clear Zone is consistent with future land use plans adopted by March ARB and the ALUC. *Id.* at 4-8, 4-9; 6-20, 6-21. The General Plan contains a specific goal, Goal S-4, to “mimize airport safety hazards and promote compatibility with airport operations.” *Id.* at 6-21. The General Plan explains the policies and actions to achieve those goals, including:

Policy S.4-1: Limit hazards from flight operations in Moreno Valley through consistency with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUC Plan).

Policy S.4-2: Review all projects within the March Air Reserve Base/Inland Port Airport Influence Area for conformance with the compatibility criteria outlined in the March ALUC Plan.

Policy S.4-3: Minimize the potential for development adjacent to the March Air Reserve Base/ Inland Port Airport to adversely affect airport operations such as by reducing the potential for bird strikes, and electromagnetic interference, and glare.

City of Moreno Valley Specific Plan 208

California law allows local governments to adopt specific plans, provided that they be consistent with the General Plan. CAL. GOV'T CODE § 65454. Moreover, general and specific plans “shall be consistent with” airport land use plan. CAL. GOV'T CODE § 65302.3. The City of Moreno Valley has several specific plans, including Specific Plan 208, last modified in 2013. Moreno Valley Industrial Area Plan, Specific Plan 208, accessible at: <http://www.moreno-valley.ca.us/cdd/documents/specific-plans.html>.

Specific Plan 208 states it “establishes development regulations and design guidelines that will ensure quality development which will contribute to the City’s industrial employment base, is consistent with the goals, objectives and policy of the City’s General Plan, and is compatible with adjacent land uses. *Id.* at I-4. The Specific Plan has three designations: Industrial, Public, and Clear Zone. *Id.* at III-1. The Clear Zone designation was established to be consistent with the safety regulations implemented by the county commission related to flight operations at the airfield. *Id.* The Clear Zone is an area “required for public safety,” which “has high accident potential and requires no structures be allowed in this area.” Specific Plan at II-2, V-12. Specific Plan 208 explains that the only compatible uses in the Clear Zone are roads, agriculture, and open space. *Id.* at II-2, III-3. The Specific Plan also explains that the clear zone currently consists of open space and the only contemplated use is for passive, non-structural uses, primarily agriculture. *Id.* at IV-3 – IV-4, V-12.

California Laws on Airport Land Use Commissions

California also requires each county with an airport to establish an airport land use commission to ensure land use compatibility planning to protect public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around civilian and military airports. CAL. PUB. UTIL. CODE § 21670(a)-(b). Airport land use commissions must develop land use compatibility plans, which must be “consistent with the safety and noise standards in the AICUZ plan prepared for that military airport.” *Id.* at § 21675(b). Proposals affecting land within the airport’s area of influence are to be referred to the county airport commission unless and until the county airport commission finds a local agency’s General Plan or specific plan is consistent with the county’s ALUCP. CAL. PUB. UTIL. CODE § 21676.5(a).

Airport Land Use Compatibility Plan (ALUCP)

In 2014, Riverside County Airport Land Use Commission completed the relevant ALUCP for March ARB, entitled the March ARB/Inland Port Authority ALUCP. Accessible at <https://www.rcaluc.org>. The ALUCP explains that its purpose is to articulate procedures and criteria, in accordance with the Public Utility Code for the City of Moreno Valley to apply when modifying their General Plans and zoning ordinances to be consistent with the county commission’s compatibility plan. *Id.* at 2-1. The ALUCP indicates that in the Clear Zone,

prohibited uses include: assemblages of people and all non-aeronautical structures, objects exceeding 14 C.F.R. Part 77 height limits and hazards to flight. *Id.* Vol. I at Table MA-2.

The ALUCP also explains that for various reasons, this project would trigger ALUCP review because it qualifies as a “major land use action” under the county commission ALUCP. County ALUCP Countywide Policies, Chapter 2, at 1.5.3(a),(8),(11), 1.5.3(d). Specifically, the project is a “off-airport, nonaviation use of land within Compatibility Zone A. Also, since it includes lighting in the Clear Zone, it is a project having the potential to create electrical or visual hazards to aircraft. It also is a proposed land action involving a question of compatibility with airport activities.” See County ALUCP Countywide Policies, Chapter 2, at 1.5.3(a),(8),(11), 1.5.3(d). There are potentially other reasons why the project qualifies as a major land use action triggering ACLUP review - it arguably qualifies as a major since it includes paving and sewer in undeveloped or agricultural uses not reflected in a previously reviewed general or specific plan, and possibly subject to a FAA determination that would trigger evaluation. See County ALUCP Countywide Policies, Chapter 2, at 1.5.3(a)(6),(10).

In an appendix providing compatibility guidelines for specific uses, it indicates that automobile parking is potentially compatible with restrictions. Additionally, the ALUCP countywide safety considerations indicates that automobile parking lots may be considered acceptable as open land if they are “free from most structures and other major obstacles such as walls, large trees or poles (4” in diameter, 4’ above the ground) and overhead wires, as well as having minimum dimensions of approximately 75 feet by 300 feet. *Id.* at 2-25.

Moreno Valley Municipal Code

The City of Moreno Valley’s ordinance also contains an airport land use compatibility plan special use district overlay. City of Moreno Valley Code § 9.07.060(B). This special use district overlay explains that the county airport commission’s ALUCP shall apply in addition to the general zoning requirements of the City code. *Id.* The special use district overlay also explains provides that when determining whether a particular use is compatible with March ARB are to be referred to the ALUCP. *Id.* at § 9.07.060(I). The code specifically provides that the criteria for assessing whether a project is compatible are set forth in the compatibility zone factors matrix, Table MA-1 of the ALUCP. Table MA-1 of the March ALUCP The code also specifically recognizes the “highest accident potential” in the area designated as the clear zone. The code also requires that for discretionary actions proposed in the clear zone, the proposed development shall be consistent with the current DoD and Air Force guidance (e.g., those referenced above). Again, DoD and Air Force guidance specifically provide that automobile parking is not compatible with the Clear Zone. *See e.g.*, DoDI 4165.58 at 14. The code further provides that March ARB is to be consulted to determine whether a proposed action is consistent with DoD and Air Force guidance.

ARGUMENT

Plot Plan Does Not Meet the Requirements under the City Code

Approval of a plot plan, requires findings that (1) the proposed project is consistent with the goals, objectives, policies and programs of the general plan; (2) The proposed project complies with all applicable zoning and other regulations; (3) The proposed project will not be detrimental

to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity; (4) The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity. Moreno Valley Code § 9.02.70(C).

The City Planning Commission proposes to include findings and conditions which purport to impose conditions that it claims are necessary to protect the public health, safety and welfare and ensure that the project will be developed in accordance with the purpose and intent of the zoning regulations. These findings and conditions do not meet the requirements for approval of a plot plan under the City Code.

The Proposed Project Would Be Detrimental to Public Health, Safety, and Welfare Risks, and Presents Mission Sustainment Concerns

PEN21-0192 involves construction of a parking lot, with hundreds of parking spots just off the runway at March ARB. The Proposed Project would be detrimental to public health, safety and general welfare and would potentially adversely affect current and future flying missions at March ARB.

The Clear Zone should remain undeveloped. March ARB 2018 AICUZ at 5-1. The joint use airstrip at March ARB conducts over fifty thousand flight operations a year. On the military side, many of these operations are large transport and tanker aircraft. AICUZ Study at 3-9 & Table 3-2. Clear Zone has the greatest risk of accidents outside the runway itself. AFH 32-7084 at 16. DoD and Air Force guidance explain that no structures except for airfield lighting and navigational aids necessary for the safe operation of the airfield should be located in the Clear Zone to protect the public's health, safety and welfare and sustain the Air Force's flying mission. DODI 4165.57 at 16; AFH 32-7084 at 8, 16, 61-62. DoD and Air Force Instructions as well as the March ARB 2018 AICUZ Study all specifically state that automobile parking is incompatible with the Clear Zone. DoDI 4165.57 at 14; AFH 32-7084 at 58; March 2018 AICUZ Study Appendix (App) A. Allowing people and structures in a location that has been evaluated and determined not to be compatible with aircraft operations is detrimental public health, safety and general welfare.

The proposed project also presents unevaluated concerns related to potential for obstructions to flight based on structures contemplated for the parking lot, as well as visual and electromagnetic interference. With regard to structures, March AFB understands that lighting is something considered for the proposed project. Due to the project's location proximity to March ARB's runway, lighting structures for the proposed project likely require a hazard determination by the Federal Aviation Administration (FAA) under 14 C.F.R. Part 77. Additionally, the March ARB is concerned that lighting for the project and automobiles using it may present visual interference to pilots. March ARB is also concerned the proposed project may present unacceptable adverse impacts on navigational facilities due to the possibility for a wide variety of potential electromagnetic spectrum interference that could come from personal devices and stationary vehicles in the parking facility. These are serious considerations that require evaluation and determinations prior to any decision on the proposed project. Any findings made by the City Planning Commission or the City Council without adequate consideration and supported determinations will be insufficient.

Approval of Plot Plan is Not Consistent with Moreno Valley General Plan

A plot plan must be consistent with the goals, objectives, policies and programs of the General Plan. Moreno Valley Code § 9.02.70(C)(1).

The General Plan functions as a “constitution for all future developments” and land use decisions must be consistent with the General Plan. *Citizens of Goleta Valley v. Bd of Supervisors*, 52 Cal. 3d 553, 570 (1990). A city’s findings regarding a project’s consistency with the General Plan cannot conflict with even one policy in the General Plan; and a city’s consistency findings must be supported by substantial evidence rather than conclusory statements. *See Families Unafraid to Uphold Rural etc. County v. Board of Supervisors*, 62 Cal. Appl 4th 1332, 1341 (1998) (finding that the County’s findings that a proposed residential plan was inconsistent with the Draft General Plan for agricultural zoning because the findings were inconsistent with the noise and low-density residential requirements). A project is inconsistent with the General Plan if it conflicts with the General Plan policy that is “fundamental mandatory and clear.” *Endangered Habitat’s League, Inc. v. County of Orange*, 131 Cal. App. 4th 777, 789 (holding that where a county used a different, even if arguably more reliable, method to calculate traffic density than the method called for in the General Plan, the county’s consistency ruling on the project violated the General Plan).

The City of Moreno Valley’s General Plan has stated goals, objectives, and policies with respect to compatibility analysis of potential development in the Clear Zone. Approval of this project would not be consistent with these goals, objectives and policies. Specifically, the project invites, not limits hazards from flight operations, and does not properly evaluate compatibility criteria in contravention of Policies S-4.1 & S-4.2. Notably, without limitation, Policy S.4-2 states “[r]eview all projects within the March [ARB]/Inland Port Airport Influence Area for conformance with the compatibility criteria outlined in the March ALUC Plan. General Plan at 6-21. The March ALUC Plan specifically requires that all remaining property in the Clear Zone be open land, without any storage of hazardous materials, non-aeronautical structures, and hazards to flight – notably even including some agricultural uses.

Approval of the project also increases development adjacent to March ARB and increases, not increases the potential for electromagnetic and visual interference in contravention of Policy S.4.3.

Proper coordination contemplated in the General Plan has not occurred that the General Plan states as a policy and goal to help reduce the exposure of people and property to hazards from any flight accidents and reduce the risk of an accident. General Plan at 4-8, 4-9; 6-20, 6-21. 6-20. The General Plan contemplates that “any future development [in the Clear Zone] may be constrained.” *Id.* at 4-8, accessible at <https://www.moval.org/cdd/documents/general-plan-documents.html>.

Accordingly, the project is not consistent with the General Plan goals, objectives, policies with respect to potential development in the Clear Zone.

Approval of Plot Plan is Not Consistent with Specific Plan 208

Moreno Valley’s Specific Plan 208, established three designations: Industrial, Public and Clear Zone (*See* Attachment 16, SP 208 Map III-1, Land Use Map).

The Specific Plan notes that the Clear Zone is an “area of high accident potential from March ARB as may be designation through the most recent March ARB Installation Compatible Use Zone (AICUZ) Study.” Specific Plan 208 at III-3. It explains that compatible uses are limited to roads, agriculture and open space. The Specific Plan notes that the Clear Zone is an open space land use due to the high hazard potential from March ARB.” *Id.* at IV-4. The Specific Plan also explains that the contemplated future use was to “be leased for agricultural uses.” *Id.*

The IS/MND study for the project stated that specific plan identifies “automobile parking” as a compatible land use within the Clear Zone. This statement is incomplete and incorrect as it is taken out of context. The Specific Plan states that the land uses for the Clear Zone “in accordance with” the “most recent March ARB [AICUZ] Study.” Specific Plan 208 at III-3.

The most recent March ARB AICUZ Study states that automobile parking is not compatible with the Clear Zone and that recent AICUZ study and that study identifies that Clear Zones should remain “undeveloped” and that it is the Air Force’s policy to acquire real property interests in land within the Clear Zone to “ensure incompatible development does not occur.” March ARB 2018 AICUZ at 5-1 – 5-7. The Specific Plan may have been referring to a prior AICUZ study or may have been incorrect in its interpretation. Regardless, the Specific Plan explains that the current AICUZ study is what is relevant, and that AICUZ study explains that automobile parking would be incompatible development. Thus, it would be improper to find that automobile parking is permissive for the Clear Zone because the current, relevant AICUZ study states otherwise.

Additionally, The General Plan adopted in 2021, with its goals, objectives and policies, that among other things, seeks to limit hazards from flight operations, evaluate relevant compatibility criteria, ensure proper coordination with relevant entities concerning proposed development projects in the Clear Zone. In general, no specific plan may be adopted unless the proposed plan or amendment is consistent with the general plan. CAL. GOV’T CODE § 65454. It would be improper to find that the Specific Plan allows automobile parking of any size, irrespective of whether it is proposed to be located in the Clear Zone. *See Leshar Communications, Inc. v. City of Walnut Creek*, 52 Cal. 3d 531, 541, 545 (1990) (“the tail does not wag the dog [o]nly the General Plan in effect at the time the ordinance is adopted is relevant in determining consistency.”)

Approval of Plot Plan is Not Consistent with Use of Open Spaces

The proposed parking lot is inconsistent with uses allowed in open spaces. CA Govt Code § 65560 defines open space as “any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section.” The section further instructs that open space is for the preservation of natural resources, managed production of resources, outdoor recreation, and for public health and safety measures such as management of flood plains or water reservoirs. The California Code does not mention any example that would be remotely analogous to paving or development as a permitted use of a designated open space area. The City of Moreno Valley Parks, Recreation and Open Space Comprehensive Master Plan further

emphasizes this argument. The entire Open Space master plan is almost entirely devoted to use of open space land for parks and recreation uses. The only mention of parking lot development in the plan is in conjunction with supporting existing parks and facilities. *See, e.g.*, Moreno Valley Parks, Recreation and Open Space Comprehensive Master Plan, p. 26. There is no mention in the Open Space master plan of parking lot development as a standalone plan.

The proposed parking lot is equally inconsistent with the General Plan. Specifically, the general plan states that the “primary purpose of areas designated Parks/Open Space is to provide areas that are substantially unimproved, including, but not limited to, areas for outdoor recreation, the preservation of natural resources, the grazing of livestock, and the production of crops.” General Plan at 2-14. A parking lot clearly does not fall into this primary purpose. Further, the general plan specifies that “the City will coordinate with March Air Reserve Base and Airport Land Use Commission staff to ensure that Heacock Street within the Clear Zone is consistent with future land use plans adopted by the March Air Reserve Base and/or the Airport Land Use Commission.” As evidenced by the arguments made at hearing and in this appeal, this coordination was not completed successfully. General Plan at 4-8.

Additionally, it is worth noting that CA Govt Code § 65560 identifies one allowable use for open space that is *not* devoted to preservation of resources or recreation uses: which is to support the mission of military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands. *See* CA Govt Code § 65560(b)(5). As described at the hearing and in this appeal, the proposed parking works directly *against* these interests by compromising the safety of the March ARB mission.

Approval of Plot Plan is Not Consistent with the California Environmental Quality Act (CEQA)

The CEQA requires that local jurisdictions utilize the CEQA Initial Study to fully disclose project impacts on the environment and surrounding communities. The city’s Initial Study and MND inadequately addressed the following environmental issues:

Hazards and Hazardous Materials

CEQA requires that an MND disclose potential hazards to the public for projects located within an airport land use plan or within two miles of a public use airport. March Air Reserve Base is an active military base with a public use airport component called the March Inland Port Airport. With respect to accident potential, the Air Force conducted analyses between 1968 and 1972, and again in 1999 and 2008, of aircraft accidents within 10 nautical miles of all airfields. The Air Force has determined that 91% of all aircraft accidents were related to takeoff and landing operations. Based on its findings, the Air Force has designated three safety zones for areas beyond the ends of runways, each of which reflect a relative statistical incidence of accident potential. These safety zones are the Clear Zone and Accident Potential Zones I and II. The Clear Zone is the area immediately beyond the end of a runway extending outward 3,000 feet with a width of 3,000 feet. The majority of aircraft incidents (approximately 62%) occur either on or adjacent to the airfield or within the Clear Zone. As such, the MARB’s AICUZ study requires protection of the Clear Zone and the Air Force obtained a perpetual easement on and across the property to ensure the protection of public health and safety.

The city reinforced March ARB's mission to protect public health and safety within the Clear Zone by designating the project site as Open Space within its General Plan. Pursuant to Moreno Valley General Plan, *Parks/Open Space*, development of anything other than open space within the Clear Zone would pose a safety hazard to the public:

“The primary purpose of areas designated Parks/Open Space is to provide areas that are substantially unimproved, including, but not limited to, areas for outdoor recreation, the preservation of natural resources, the grazing of livestock, and the production of crops. Development intensity should not exceed a FAR of 0.10 and the average FAR should be significantly less”. (Moreno Valley General Plan, Page 2-14)

The city General Plan requires ongoing coordination with the March Air Reserve Base, the March Joint Powers Authority, and the March Inland Port Airport Authority to help reduce the exposure of people and property to hazards from any flight accidents, as well as reduce the risk of an accident for aircraft in flight over the city (General Plan Safety Element, p. 6-20).

Goal S-4: Minimize airport safety hazards and promote compatibility with airport operations.
POLICIES S.4-1: Limit hazards from flight operations in Moreno Valley through consistency with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUC Plan).

S.4-2: Review all projects within the March Air Reserve Base/Inland Port Airport Influence Area for conformance with the compatibility criteria outlined in the March ALUC Plan.

S.4-3: Minimize the potential for development adjacent to the March Air Reserve Base/ Inland Port Airport to adversely affect airport operations such as by reducing the potential for bird strikes, and electromagnetic interference, and glare.

S.4-4: Coordinate with the March Air Reserve Base, the March Joint Powers Authority, and the March Inland Port Airport Authority to ensure that roadways are designed to safely accommodate airport vehicles and that airport-related traffic is routed to minimize hazards to or conflicts with Moreno Valley residents and businesses.

N.1-3: Apply the community noise compatibility standards (Table N-1) to all new development and major redevelopment projects outside the noise and safety compatibility zones established in the March Air Reserve Base/ Inland Port Airport Land Use Compatibility (ALUC) Plan in order to protect against the adverse effects of noise exposure. Projects within the noise and safety compatibility zones are subject to the standards contained in the ALUC Plan.

N.1-A: Continue to review proposed projects for conformance with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, including consideration of the Compatibility Zone Factors shown in Table MA-1 and the Basic Compatibility Criteria shown in Table MA-2, as may be amended.

As per the Moreno Valley Municipal Code § 9.07.060(I), projects within an airport influence area must be reviewed against the compatibility zone factors matrix located on Table MA-1 of the March ALUCP.

As shown on Attachment 17, *ALUCP Compatibility Zone Factors*, Table MA-1 states the following under Zone A (Clear Zone if not in Base), which covers the whole project site:

Noise and Overflight Factors : Very High

- High CNEL and single-event noise levels

Safety and Airspace Protection Factors: Very High

- Dimensions set to include Clear Zone as indicated in Air Installation Compatible Use Zone (AICUZ) study for airport
- Generally on air base property or controlled by easements

Based on the above, the Base's perpetual easement on and across the property would influence land use restrictions on the project site. The MND fails to analyze safety and airspace protection factors pursuant to Table MA-1 of the March ALUCP and as required by the city code.

The MND failed to properly disclose the public health and safety hazards related to developing a commercial parking lot within the March ARB Clear Zone. Moreover, the MND failed to address significant and unavoidable impacts to airport operations by disregarding safety criteria outlined within abovementioned General Plan policies, and Table MA-1 restrictions within the March ALUCP and AICUZ, I request that the City Council deem the MND inadequate, overturn the Planning Commission's action and deny PEN21-0102.

Land Use and Planning

CEQA requires that an MND disclose any conflicts with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect.

The city General Plan requires ongoing coordination with the March Air Reserve Base, the March Joint Powers Authority, and the March Inland Port Airport Authority to help reduce the exposure of people and property to hazards from any flight accidents, as well as reduce the risk of an accident for aircraft in flight over the city (General Plan Safety Element, p. 6-20).

LCC.1-11: Require that new development be compatible with the standards for land uses, density and intensity specified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUC Plan). – Land Use and Community Character (p. 2-15)

C.6-3: Support March Global Port in its effort to develop an aviation cargo center at March Air Reserve Base. – Circulation (p. 4-23)

As previously mentioned, the project site is encumbered by an easement belonging to the March ARB ["Deed for Clear Zone Easement, conveying interest in this property (APN# 316-211-014) to the United States of America]. The MND not only failed to disclose easement restrictions on the property by the United States of America, but it also failed to disclose project land use inconsistencies with the 2014 March ALUCP which was designed to protect airport operations at a military installation. The city General Plan requires that the plan be consistent with the 2014 March ALUCP. The approval of the General Plan also included the following requirement:

“[t]he City will coordinate with March [ARB] and Airport Land Use Commission Staff to ensure that Heacock Street within the Clear Zone is consistent with future land use plans adopted by the March Air Reserve Base and/or Airport Land Use Commission.”
(2021 General Plan Approval; C.2-13)

The proposed project is inconsistent with both the substance and process of the General Plan with respect to land use compatibility in safety zones outside March ARB. Furthermore, the MND has failed to adequately account for the impact of airport operations as it relates to both fire protection and cumulative air quality. *See* Attachment 18, pp. 17-21, and pp. 60-64. Given the significant and unavoidable threats posed by the project on the airport, the city should have completed an EIR pursuant to CEQA. As the MND failed to analyze the significant and unavoidable impacts on land use and planning issues related to developing a public parking lot within the March ARB Clear Zone and its perpetual easement on the property, I request that the City Council overturn the Planning Commission action, deem the MND inadequate and deny PEN21-0102.

Approval of Plot Plan is Not Consistent with the Airport Land Use Compatibility Plan (ALUCP)

The City Code provides that the ALUCP shall apply in addition to the land use districts. According to the Moreno Valley Municipal Code 9.07.060, *Airport land use compatibility plan*, Section B states the following:

“B. Applicability. The provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zone and the ALUCP, the ALUCP shall take precedence”.
(City of Moreno Valley, Title 9, Chapter 9.07, Article 9.07.060)

A 2004 California Attorney General opinion addressed the issue of whether an airport land use commission may exempt a specific plan adopted by a city or county from compliance with the commission’s more stringent compatibility standards for land use, development density, and development intensity in the vicinity of a public use airport. The Attorney General opined that:

“In light of the elaborate procedures set forth in [the State Aeronautics Act] for identifying and resolving inconsistencies between a specific plan and an airport land use compatibility plan, it is apparent that the Legislature did not intend to authorize a commission to grant ‘exemptions’ for a specific plan with less stringent standards than a compatibility plan.”
[Cal. Atty. Gen. Op. No. 03-805, July 22, 2004]

The proposed project is inconsistent with policies, goals, compatibility zone factors, and land use compatibility criteria in the approved 2014 Land Use Compatibility Plan. Specifically, the 2014 March ALUCP has the purpose of protecting public health, safety, and welfare. It does so by including compatibility zone factors and compatibility land use criteria for the safety zones, including most importantly, the Clear Zone. Because it would be a non-aeronautical structure and allow for assemblages of people, the proposed use is prohibited use for the Clear Zone in the March ALUCP. The Air Force is also concerned about the possibility of a wide variety of

electromagnetic spectrum interference that could come from personal devices and stationary vehicles in the parking facility.

The 1st District Court of Appeals in California, in reviewing whether an airport's land use compatibility plan can be consistent with the military's AICUZ without being a verbatim adoption of the plan, the court relied heavily on the legislative intent (of the compatibility amendment to the Aeronautics Act) to "address and resolve urban encroachment impacts on military activities" given the threats that development may pose to future military missions. *Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n*, 164 Cal. App. 4th 1 (2008), citing Senate Reports for Senate Bill 1468 (emphasis added).

While testimony from the previous hearing speculated that March ARB may not exist in the future, the Aeronautics Act and its legislative history focus on the importance of resolving threats of encroachment to protect future military missions. In March's Background Data for the Inland Port Airport Land Use Compatibility Plan, the AICUZ projects a total of up to 69,000 aircraft operations from across the military (44,860), CalFire (3,740), and civilian aircraft (21,000). The document also includes another future projection based on combined studies, reflecting a future military mission of 54,104 annual aircraft operations. Indeed, even though those studies may be dated, the Air Force regularly reviews existing bases for potential future homes of new aircraft. Thus, protecting future military uses remains an imperative.

The procedure for amending the General Plan or zoning ordinances within the planning area covered by the Airport Land Use Commission's plan, the city must first submit the proposed action to the ALUC for a consistency determination. CA Pub. Utility Code § 21676(b). Even though the city could overrule the ALUC's determination by two-thirds vote, it must first make specific findings that the proposed action is consistent with the purpose of the Aeronautics Act, specifically that the action would prevent the creation of new safety problems. *Id.*, referencing Pub. Utility Code § 21670. Further, local agency decisions must be guided by height, use, noise, safety, and density developed by the state. CA Pub. Utility Code § 21674.7(b).

The city's adjudicative decision here must be supporting by specific findings consistent with the standards established by *Topanga Assn. for a Scenic Community v. County of Los Angeles*, 11 Cal.3d 506 (1974). See *California Aviation Council v. City of Ceres*, 9 Cal. App. 4th 1384, 1393 (1992), holding that the City Council erred when it approved a specific plan allowing residential construction and occupancy within the area of land included in the Airport Land Use Commission Plan without making specific findings as required by CA. Pub. Utility Code § 21676 and requirements laid out in *Topanga*.

As the MND failed to adequately analyze the project against adopted Airport Land Use Compatibility plans, I request that the City Council overturn the Planning Commission action, deem the MND inadequate and deny PEN21-0102.

Moreno Valley Municipal Code

As per the Moreno Valley Municipal Code § 9.07.060(I), projects within an airport influence area must be reviewed against the compatibility zone factors matrix located on Table MA-1 of the March ALUCP.

As shown on Attachment 17, *ALUCP Compatibility Zone Factors*, Table MA-1 states the following under Zone A (Clear Zone if not in Base), which covers the whole project site:

Noise and Overflight Factors : Very High
 - High CNEL and single-event noise levels

Safety and Airspace Protection Factors: Very High
 - Dimensions set to include Clear Zone as indicated in Air Installation Compatible Use Zone (AICUZ) study for airport
 - Generally on air base property or controlled by easements

Based on the above, the Base's perpetual easement on and across the property would influence land use restrictions on the project site. The MND fails to analyze safety and airspace protection factors pursuant to Table MA-1 of the March ALUCP and as required by the city code.

The city code also specifically recognizes the "highest accident potential" in the area designated as the Clear Zone. The code also requires that discretionary actions proposed within the Clear Zone shall be consistent with current Air Force Guidance, including Department of Defense Instruction (DoDI) 4165.57, "*Air Installations Compatible Use Zones*," and Air Force Instruction 32-7063, "*Air Compatible Use Zones Program*." The code further provides that March ARB is to be consulted to determine whether a proposed action is consistent with Department of Defense and Air Force guidance. As we have expressed in our October letter and December 22, 2022 testimony, the proposed development is inconsistent with the uses within the March ARB Clear Zone.

As the MND failed to adequately analyze significant and unavoidable project impacts on the March ARB's Clear Zone resulting from inconsistencies with the city's municipal code standards, I request that the City Council overturn the Planning Commission action, deem the MND inadequate and deny PEN21-0102.

Overrule by Two-Thirds with Specific Findings is Required

The Moreno Valley Municipal Code § 9.07.060.f.j requires an overrule by two-thirds of city council with specific findings. The Moreno Valley Municipal Code is uses broad terms, "or finds an action" such that this provision does not merely apply to disapprovals. Pages one through three of Riverside County Airport Land Use Commission personnel Oct 25,2022 letter contains finding that the proposal is inconsistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Plan. See Code text for context. The Planning Commission omitted this key aspect at the December 22, 2022 hearing. See for example, California Aviation Council v City of Ceres 9 Cal.App.4th 1384, 12 Cal. Rptr. 2d 163 (Cal. Ct. App. 1992) and Citizens for Planning Responsibility vs City of San Luis Obispo, 176 Cal.App.4th 357, 97 Cal. Rptr. 3d 636 (Cal. Ct. App. 2009).

"J. Overrule Procedures. When ALUC disapproves or finds an action, regulation, or permit, to be inconsistent with the ALUCP, ALUC shall notify the City within thirty (30) days of such action pursuant to Public Utilities Code (PUC) 21675.1(d). The City Council may overrule ALUC decision, by a two-thirds vote and shall make specific findings that the proposed action,

regulation, or permit is consistent with the purposes of Article 3.5, as stated in Section 21670 of the PUC.”

Municipal Code Does Not Allow Ignoring Valid Legal Covenants Such as the Air Force’s 1984 Restrictive Easement

The Moreno Valley Municipal Code § 9.01.050 states the intent to not interfere with or avoid any easements or legally established covenants, see text below for context. Moreover, it is general land use planning law, that planning actions cannot be done without adequate ownership interests in the tract. Here the applicant’s predecessor in interest deeded the right to develop that property as is being proposed now to the Air Force in accepting payment of \$77,090.00 for the 1984 restrictive easement: “The provisions of this title are not intended to interfere with or avoid any easements or legally established covenants or other existing agreements which are more restrictive than the provisions of this title.”

Avigation Easement vs. March ARB Perpetual Easement

At the December 22, 2022, Planning Commission hearing, the applicant proposed the use of an Avigation Easement on the property site as a tool to protect the public, in lieu of the Base’s perpetual easement on the property. An avigation easement is a property right acquired from a landowner which protects the use of airspace above a specified height and imposes limitations on use of the land subject to the easement. Riverside Countywide Policy 4.3.5 requires the dedication of an avigation easement as a condition of development by local jurisdictions. As the March ARB’s perpetual easement on and across the property provides the necessary protection needed for the Base’s Clear Zone, the use of an avigation easement in lieu of the Base’s perpetual easement is hereby rejected. As the city’s MND did not analyze the significant and unavoidable impacts associated with replacing the Base’s perpetual easement with an aviation easement, nor was an avigation easement condition placed on the project, I request that the City Council reject the use of an avigation easement on the property, overturn the Planning Commission action, deem the MND inadequate and deny PEN21-0102.

Community Partnership and Operational Military Missions

March ARB remains a strong partner of the March Joint Powers Authority and its member agencies, to include the City of Moreno Valley. The Department of Defense has invested more than \$10 million on public infrastructure within the City of Moreno Valley for flood control protection that removed more than two hundred city residential homes and several city industrial/commercial zoned properties out of the flood zone. It is our intent to grow a positive working relationship with our community partners around the Base. Future operational missions of the base could also facilitate additional efforts to attract other federal funds to the community, including funding for the city’s Cactus Channel.

Given the land use issues posed by the PEN21-0102 project, I am concerned that this project could have an adverse impact on current and future operational military missions of March ARB.

As the city’s MND failed to adequately analyze project impacts against growing missions at March ARB, I request that the City Council overturn the Planning Commission action, deem the Initial Study inadequate, and deny PEN21-0102.

Summary

As articulated within attached comment letters previously submitted by March ARB and local planning agencies, the proposed use under PEN21-0102 would be detrimental to the public health, safety, or welfare because it places structures and people in an area with high accident potential. It should be further considered by the City Council that based on all the new information provided herein, the project would not qualify as an allowed use within the Clear Zone designation.

This development would present serious safety concerns due to the persistent presence of vehicles parked for extended periods of time, as well as the presence of pedestrians in the parking facility.

The Planning Commission's review of the project was based on incomplete information with an inadequate CEQA analysis. Their action, inexplicably and without adequate justification or support, purports to find that the proposed plan meets the requirements of Section 9.02.070 of the City Municipal Code. The decision must be reversed as it fails to consider criteria required by the city's codes and adopted plans, as well as adopted plans pertaining to the airport.

Moreover, as Clear Zone criteria within the city's General Plan, Specific Plan and Development were adopted by City Council for the protection of the Base and public health and safety of individuals working around the Base, it is my sincere hope that the City Council upholds its policies and deny the project based on significant and unavoidable impacts to the March ARB as well as inconsistencies and findings provided herein.

Waiver of Fees

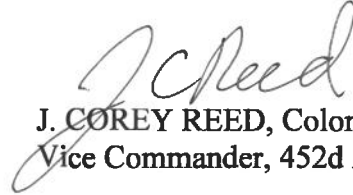
Finally, on behalf of March ARB, United States Air Force, I request a waiver of all fees for this appeal. In accordance with the fee schedule, the "City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard." City of Moreno Valley, "Schedule of City Fees, Charges, and Rates - Fiscal Year 2022-23," p. 85.

Additional Support and Explanations

Finally, I would like to note the extenuating circumstances of this appeal. The Planning Commission's meeting was on the evening of December 22. Moreno Valley Municipal Code makes no provision for requesting an extension for filing an appeal. I am therefore timely filing this letter to present the Air Force's position and preserve our right to appeal. The Air Force reserves the right to provide additional support and explanations for our appeal during public hearing before the city council.

March Air Reserve Base remains dedicated to maintaining positive and effective relationships with community partners for the benefit of Moreno Valley, Riverside County, and all of Southern California. I thank you for the opportunity to provide input regarding this project.

Should you have any questions or would like to discuss this issue further, please feel free to contact the March ARB Civil Engineer, Mr. David Shaw, at 951-655-4851.



J. COREY REED, Colonel, USAF
Vice Commander, 452d Air Mobility Wing

19 Attachments (140 Pages):

1. Letter from March Joint Powers Authority, "CEQA Review for the Heacock Logistics Parking Lot," dated October 12, 2022
2. Letter from City of Perris, "City of Perris Comments - Initial Study..." dated October 18, 2022
3. Letter from March ARB, Letter of Concern Regarding Proposed Heacock Logistics Development, dated October 21, 2022
4. Letter from State Senator, The Honorable Richard Roth, "Letter of Concern: Proposed Automobile Parking Lot Adjacent to March Air Reserve Base," dated October 24, 2022
5. Letter from Riverside County Airport Land Use Commission, "Concerns Regarding the Safety of People as Raised by PEN21-0102 Automobile Parking Lot on Heacock Street," dated October 25, 2022
6. Letter from Greater Riverside Chambers of Commerce, "Automobile Parking Lot - Opposition," dated October 25, 2022
7. Letter from City of Norco, "Planning Commission Public Hearing..." dated October 26, 2022
8. Letter from March Joint Powers Authority, "Project Comments Regarding the Heacock Logistics Parking Lot," dated October 27, 2022
9. Letter from U.S. Representative, The Honorable Ken Calvert
10. Letter from Riverside County, "Plot Plan (PEN21-0102) for an Automobile Parking Lot..." dated October 28, 2022
11. Letter from U.S. Representative, The Honorable Mark Takano, dated December 19, 2022
12. Letter from Military Affairs Council of the Greater Riverside Chambers of Commerce, "Automobile Parking Lot - Opposition"
13. Letter from Greater Riverside Chambers of Commerce, "Automobile Parking Lot - Opposition," dated December 20, 2022
14. City of Moreno Valley General Plan, Adopted Land Use Map
15. City of Moreno Valley Zoning Map
16. City of Moreno Valley Industrial Area Plan (Specific Plan 208), Land Use Map
17. March ARB/MIP Land Use Compatibility Zone Factors, Table MA-1
18. Initial Study/MND Mark Up
19. 2014 March Airport Land Use Compatibility Plan

MARCH JOINT POWERS AUTHORITY

October 12, 2022

Julia Descoteaux
Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552

Subject: CEQA Review for the Heacock Logistics Parking Lot

Dear Ms. Descoteaux:

March JPA has reviewed the initial study pertaining to the Heacock Logistics Parking Lot. It is worth noting that this site is within the south Clear Zone: 1) which is an area of elevated aviation accident potential; 2) that the United States Air Force has provided policies through the Air Installation Compatibility Use Zone program that parking lots should not be developed within the Clear Zone; and 3) most importantly, the United States has purchased restrictive land use easements within this area to assure that development does not occur within the area of elevated risk. Accordingly, March JPA provides the following comments to the draft Initial Study:

1. Within the Hazards and Hazardous Materials Section of the Initial Study, threshold F identifies: would the project result in a safety hazard or excessive noise for people residing or working in the project area? March JPA requests that this section identify the historic occurrence of aviation accidents within the Clear Zone. Specifically, March JPA requests that the Initial Study cite that in conformance with military accident data from 1968 – 1995 involving 838 aviation accidents, that 27.4% of those military aviation accidents occur within the Clear Zone. (Source: 1998 March Air reserve base AICUZ, p. B-3).
2. Within the Land Use and Planning Section, threshold b identifies: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA requests that this section fully disclose the existence of Riverside County document number 209559, "DEED FOR CLEAR ZONE EASEMENT", conveying interest in this property (APN# 316-211-014) to the United States of America. This easement specifically states, as identified on page 3 through 4, that the United States has acquired an interest in this property to prohibit all land uses except: a) agriculture; 2) grazing; c) permanent open space; d) existing water areas; e) rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and f) communication and utilities rights-of-way.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

3. Within the Land Use and Planning Section, threshold b identifies:) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA also requests this section fully disclose the AICUZ land use compatibility table (p. A-3) recommendation for standard land use coding manual (SLUCM) use 46 (Auto Parking) for the Clear Zone, which recommends Automobile Parking not occur in the Clear Zone.
4. March JPA believes this new information constitutes substantial evidence of a potential significant impact relating to Land Use and Planning, and that after further consultation with the United States Air Force and Air Force Reserve, the proposal should move forward on the preparation of an Environmental Impact Report.
5. March JPA believes this item is subject to Riverside County Airport Land Use Commission (RCALUC). Please contact Paul Rull at (951) 955-6893.

Please contact me if I may provide further information.

Sincerely,



Dan Fairbanks
March JPA Planning Director

cc: Major David N. Shaw, 452 Base Civil Engineer
Paul Rull, Director, Riverside County Airport Land Use Commission

Attach: Riverside County record document #209559
Assessor Parcel Map for parcel number 316-211-014

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

449370 JK
209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
At Request of
TICOR TITLE INSURANCE CO.
Book 1984, Page 209559
SEP 27 1984
Recorder's Office
of Riverside County, California
William F. Flaherty
Recorder
Fees \$ 8

DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

In consideration of the sum of SEVENTY-SEVEN THOUSAND AND NINETY AND NO/100 DOLLARS (\$77,090.00) the receipt and sufficiency of which is hereby acknowledged, JENNIE IPARAJURRIE hereby grants to the United States of America and its assigns a clear zone easement as described in exhibit "A," over the land described in exhibit "B," said exhibits being attached hereto and made a part hereof.

Said easement is being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project, Riverside County, California, and is designated as Tract No. 1203-E in the records of the U.S. Army Engineer District, 300 North Los Angeles Street, Los Angeles, California 90012.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

This conveyance is made subject to existing easements for public highways, public roads, public utilities, railroads, pipelines, covenants, conditions and restrictions of record, and to any water rights, claims or title to water on or under said land.

Executed this 23 day of AUGUST, 1984.

Jennie Paragorrie
JENNIE IPARAGORRIE

Dated: August 23, 1984

STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO } ss.

On AUGUST 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIE IPARAGORRIE

personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name AS subscribed to the within instrument and acknowledged that SHE executed the same.
WITNESS my hand and official seal.

Signature Darlene R. McInenly

(This space for Official Notarial Seal)



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

RESTRICTIVE EASEMENT

A perpetual and assignable easement is hereby created in the United States of America, hereinafter called the Government, for the establishment, maintenance and operation of a restrictive use area for the operation of aircraft to and from the air installation currently known as March Air Force Base, hereinafter called the Base, consisting of the following rights in the land described in Exhibit "A" for the following purposes:

1. The right to make low and frequent flights over said land to generate noises associated with:
 - a. aircraft in flight, whether or not while directly over said land;
 - b. aircraft and aircraft engines operating on the ground at said Base; and
 - c. aircraft engine test-stand operations at said Base.
2. The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.
3. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
4. The right to prohibit electrical emissions which would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.
5. The right to prohibit and remove any buildings or other non-frangible structures.
6. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the officer having command of the Base determines might interfere with the operation of aircraft, including emergency landings.
7. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.
8. The right to post signs on said land indicating the nature and extent of the United States' control over said land.
9. The right to prohibit all land uses other than the following:
 - a. agriculture;
 - b. grazing (excluding feed lots and dairy herds);

EXHIBIT A

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

RESTRICTIVE EASEMENT (cont'd)

- c. permanent open space;
- d. existing water areas;
- e. rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and
- f. communications and utilities rights-of-way.

10. The right to prohibit entry of persons onto the land except in connection with activities authorized under a., b., e., and f. above.

Subject, however, to existing easements for public roads and highways, public utilities, railroad, and pipelines, reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easements hereby acquired.

For the consideration recited above, the Grantor agrees to abide by the following covenant which shall run with the land: That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantor for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, and the Grantor expressly releases and relinquishes any and all claims against any of the aforesaid for further or future payment of consideration for the aforesaid easement and rights granted herein.

209559

DATE: 5 July 1983
TRACT: 1203-E-1
OWNER: Jennie Iparagurrie
ACREAGE: 9.72
PROJECT: March Air Force Base (AICUZ)
LOCATION: Riverside County, California
FILE: 281-T-1203-E-1

A parcel of land situate in the County of Riverside, State of California, being that portion in the West one-half of Lot 29 in Block 1 of Riverside Alfalfa Acres, as shown on map recorded in Book 8, page 21 of Maps, in the office of the Recorder of said County, and being that portion of the Southwest one-quarter of Section 31, Township 3 South, Range 3 West, San Bernardino Meridian, described as follows, basis of bearings being California Coordinate System, Zone 6, (Chap. 1307, Statues of 1947):

Commencing at the Southwest corner of said Section 31, and the centerline intersection of Heacock Street and Oleander Avenue; thence leaving said Oleander Avenue North 01° 15' 51" East along the centerline of said Heacock Street a distance of 90 feet to the TRUE POINT OF BEGINNING; thence continuing North 01° 15' 51" East a distance of 576.50 feet to the North line of said Lot 29; thence South 89° 31' 20" East along last said lot line a distance of 693.92 feet; thence South 0° 15' 48" East a distance of 596.54 feet; thence North 89° 31' 34" West a distance of 731.99 feet to the TRUE POINT OF BEGINNING.

Containing 9.72 acres, more or less, including 0.397 acre lying within Heacock Street.

EXCEPTING any portion lying within the Riverside Flood Control 90 foot strip which includes the South 70 feet of said Lot 28.

ALSO EXCEPTING the West 10 feet of said Lot 28.

Written by: EP
Checked by: CU

FILE NO: 281-T-1203-E-1

EXHIBIT B

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)





CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

October 18, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley
Community Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: CITY OF PERRIS COMMENTS - INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR PROPOSED HEACOCK LOGISTICS PARKING LOT, LOCATED ON THE EAST SIDE OF HEACOCK STREET AND NORTH OF THE PERRIS VALLEY STROM DRAIN AND PERRIS CITY LIMITS (APNs: 316-211-014)

Dear Ms. Descoteaux:

The City of Perris appreciates the opportunity to comment on the Notice of Intent to adopt a Mitigated Negative Declaration prepared for a proposed Heacock Logistics Parking Lot consisting of 194 spaces, 12 feet in width by 30 feet in depth, located on the east side of Heacock Street and north of the Perris Valley Storm Drain and Perris City limits.

The City provides the below comments in light of the Project's proximity to the City of Perris:

1. **Transportation** – Site Plan shows parking spaces 12' x 30' in size, which were analyzed in the project specific Traffic Impact Analysis under two options. Option 1 for passenger vehicles and option 2 for semi trucks. Since the project has been designed for parking and circulation of semi trucks and passenger vehicles with impacts onto Harley Knox Boulevard, the following traffic related comments are provided:
 - a. Prior to issuance of any permits, a fair share sum for the impacts to City of Perris' roadways shall be paid to the City of Perris. To determine the extent of the impacts, a Traffic Impact Analysis (TIA) shall be submitted for review. Refer to Memorandum prepared by Fehr & Peers, dated September 9, 2022.
 - b. Also, the extension/connection of Heacock Street to Harley Knox Boulevard is identified as a City of Moreno Valley Transportation Uniform Mitigation Fee (TUMF) roadway project in the Riverside County Transportation Commission (RCTC) regional roadway system. Subsequently, to ensure consistency, the right-of-way width and alignment of Heacock Street shall be coordinated with the roadway designation and classification per City of Perris' General Plan. The correlation will provide the required data to determine the roadway's design criteria and the

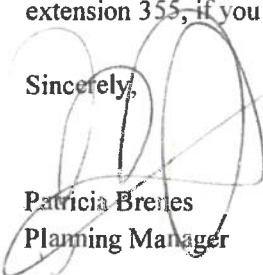
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extent of improvements at the Harley Knox Boulevard/Webster Avenue roundabout. City of Perris' roadway designations for Harley Knox Boulevard and Webster Avenue are as follows:

- c. Harley Knox Boulevard is classified as a Primary Arterial (128'/94') with a 14 foot wide raised landscaped median.
 - d. Webster Avenue is classified as a Secondary Arterial (94'/64').
2. **CEQA.** Please provide future notices prepared for the Project site pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, extension 355, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Patricia Brenes
Planning Manager

Cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu City Attorney
Kenneth Phung, Director of Development Services
Stuart McKibbin, City Engineer

Enclosure

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



**DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE COMMAND**

F.1.b

1.r

October 21, 2022

Colonel Erik L. Aufderheide
Commander
452d Air Mobility Wing
2145 Graeber Street, Building 470
March ARB, CA 92518

Julia Descoteaux
Senior Planner
City of Moreno Valley
14177 Frederick Street, PO Box 88005
Moreno Valley, CA 92552

Dear Ms. Descoteaux:

This letter addresses the proposed development of an automobile parking lot for Heacock Logistics on 9.14 acres in the Moreno Valley Industrial Area Plan, Clear Zone District. I understand that the March Joint Powers Authority (MJPA) has also submitted a letter to you on this matter. I concur with the concerns raised by MJPA.

It is the policy of the United States Air Force (USAF) to engage with its community partners to foster compatible land use and to help local governments and communities better understand the nature of military operations and procedures in and around Air Force installations.

As the letter from MJPA notes, the proposed development is within a Clear Zone south of the March Air Reserve Base (ARB) runway. Due to the nature of military aviation operations, there is an increased risk of accidents within a Clear Zone, which justified the creation of a perpetual easement for the south Clear Zone in 1984. This easement granted the United States of America the right to prohibit all land uses except: agriculture; grazing; permanent open space; existing water areas; rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and communications and utilities rights-of-way. The easement also granted the United States of America the right to prohibit entry of persons onto the land except in connection with the above-listed activities.

While March ARB is committed to the highest standards of operational excellence, the inherent risks associated with military aviation operations are as compelling today as they were in 1984. I therefore oppose development of the proposed Heacock Logistics parking lot within the south Clear Zone. This development would present serious safety concerns due to the persistent presence of vehicles parked for extended periods of time, as well as the presence of pedestrians in the parking lot. I also am concerned about the possibility of a wide variety of electromagnetic spectrum interference that could come from personal devices and stationary vehicles in the parking lot.

March ARB remains dedicated to maintaining positive and effective relationships with community partners for the benefit of Moreno Valley, Riverside County, and all of Southern California. I thank you for the opportunity to provide input regarding this project.

Should you have any questions or would like to discuss this issue further, please feel free to contact the March ARB Civil Engineer, Mr. David Shaw, at 951-655-4851.

ERIK L. AUFDERHEIDE, Colonel, USAF
Commander, 452d Air Mobility Wing

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

STATE CAPITOL
ROOM 2080
SACRAMENTO, CA 95814
TEL (916) 651-4031
FAX (916) 651-4931

California State Senate

COMMITTEES
BUSINESS, PROFESSIONS AND
ECONOMIC DEVELOPMENT
CHAIR
HEALTH
INSURANCE
MILITARY AND VETERANS
AFFAIRS

DISTRICT OFFICE
3737 MAIN STREET
SUITE 104
RIVERSIDE, CA 92501
TEL (951) 680-6750
FAX (951) 680-6757

SENATOR
RICHARD D. ROTH
THIRTY-FIRST DISTRICT



SENATOR.ROTH@SENATE.CA.GOV

October 24, 2022

The Honorable Yxstian Gutierrez
Mayor, City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

RE: Letter of Concern: Proposed Automobile Parking Lot adjacent to March Air Reserve Base

Dear Mayor Gutierrez,

I am writing to express my serious concern regarding the proposal to approve the development of an automobile parking lot adjacent to the south end of the runway at March Air Reserve Base (MARB), encroaching on the Base's Clear Zone easement. I certainly respect and recognize the ability of municipalities to improve sites within their respective jurisdictions. However, the proposed project lies within the south Clear Zone of the base and presents a heightened risk of injuries or fatalities to those who park or congregate in the proposed area.

The Air Installations Compatible Use Zone (AICUZ) program was established by the Department of Defense in order to promote health and safety in and around local airports and to protect the operational capabilities of the air installation. The March Joint Powers Authority (MJPA), in its October 12, 2022 letter to Moreno Valley Senior Planner Julia Descoteaux, noted that the proposed project does not comply with the provisions of the deed for the Clear Zone easement. In that regard, it is my understanding that the easement held by the Department of Defense restricts all activities except agriculture, grazing, permanent open space, existing water rights, and communications and utility rights-of-way. I concur with the MJPA's observation that the proposed automobile parking lot appears to violate the Clear Zone easement; and that, if approved, the project presents a clear and present danger to military and civilian air operations at March.

For decades, local organizations such as the Moreno Valley Chamber of Commerce and the Greater Riverside Chambers of Commerce, and others have fought to protect the base from encroachment. My primary concern is that this project will negatively impact not only current operations, but the future bed down of the new KC-46A tanker and the long term viability of the Base. Accordingly, I respectfully request that approval for this proposed project as currently sited, be withheld and that an alternative proposal be developed to mitigate the negative impacts noted above.

Thank you for your consideration. I welcome the opportunity to discuss this project with you at your convenience. Please feel free to contact me at 951-680-6750.

Sincerely,

RICHARD D. ROTH
Senator, 31st District



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

October 25, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley Community Development
14177 Frederick Street
Moreno Valley CA 92553

CHAIR
Steve Manos
Lake Elsinore

VICE CHAIR
Russell Betts
Desert Hot Springs

RE: Concerns regarding the safety of people as raised by PEN21-0102 Automobile Parking Lot on Heacock Street

COMMISSIONERS

John Lyon
Riverside

Steven Stewart
Palm Springs

Richard Stewart
Moreno Valley

Michael Geller
Riverside

Vernon Poole
Murrieta

To Ms. Descoteaux,

On behalf of the Riverside County Airport Land Use Commission (the ALUC), I would like to submit this letter of concern regarding PEN21-0102 Automobile Parking Lot on Heacock Street (the project).

The ALUC's goal is defined in the Public Utilities Code (PUC) Section 21670(a) declaring that:

"(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around the public airports to the extent that these areas are not already devoted to incompatible uses."

The ALUC recognizes the City of Moreno Valley's (the City) authority and obligation to review non-legislative projects for airport land use compatibility in accordance with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP), to which the City's General Plan was found consistent in 2021. Therefore, as the lead jurisdiction performing the airport land use compatibility review for the project, the City should also be consistent with not just the March ALUCP, but the intent and spirit of the PUC goals to protect the public health, safety, and welfare from inconsistent and incompatible land uses. As instructed by PUC Section 21674.7, "[i]t is the intent of the Legislature to discourage incompatible land uses near existing airports... It is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675."

Land Use Planning around military airports such as March Air Reserve Base/Inland Port raises unique and complex rules and issues. The purpose of this letter is to assist the City in that analysis by identifying some of those issues, rules and how they apply to this project.

The ALUC has concerns that the project will have significant impacts to the public health and safety based on its use as a parking lot and its location within the Compatibility Zone A (Clear

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
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Zone) as identified in the March ALUCP, as well as identified as the Clear Zone in the 2018 Air Force Air Installation Compatible Use Study (AICUZ), which is defined as the:

“square area beyond the end of the runway and centered on the runway centerline extending outward for 3,000 feet... a Clear Zone is required for all active runways and should remain undeveloped.”

The Clear Zone is a long recognized critical area located at the end of the runway where vital aviation maneuvers occur for take-off and landing. The 2005 AICUZ study provides aircraft data (1968-1995) identifying that 27.4% of all aircraft accidents occur within the Clear Zone. The proposal to establish a parking lot in the Clear Zone puts people on the ground and in the aircraft at risk needlessly, especially when the parking lot could be relocated to a more appropriate airport zone further away from the runway and out of the Clear Zone.

The March ALUCP Compatibility Zone Factors Table MA-1 (Noise and Overflight Factors/Safety and Airspace Protection Factors) identifies the Clear Zone as a “Very High” Risk Level, and a “Very High” Noise Impact due to the high CNEL noise contour range between 65 – 75 dB and single-event noise levels.

The fundamental purpose of the March ALUCP is to promote appropriate land use compatibility around March Air Reserve Base by protecting public health, safety, and welfare. This is largely implemented by Table MA-2 Basic Compatibility criteria in the plan.

Table MA-2 provides the land use compatibility criteria for the Clear Zone which includes non-residential intensity, prohibited uses, and required open land.

Firstly, the non-residential intensity criteria for the Clear Zone is ZERO (0) people for both average and single acre intensity. Although the project will generate a very low occupancy based on the persons in each vehicle entering the site, any persons entering the site would immediately result in exceeding the non-residential average and single acre intensity criteria of ZERO (0) people.

Secondly, Table MA-2 provides a list of prohibited uses for the Clear Zone, which includes: all non-aeronautical structures, assemblages of people, objects exceeding FAR Part 77 height limits, all storage of hazardous materials, and hazards to flight.

1. The ALUCP analysis shows that the proposed parking lot land use, structures and vehicles within it, are considered non-aeronautical structures and would therefore be a prohibited use, because they do not serve any aeronautical functions to the March Air Reserve Base or Inland Port Airport.
2. Similar to the comment raised above regarding intensity, any occupancy on the site would constitute “assemblages of people” and therefore would be a prohibited use.
3. Part 77 is the FAA OES process to determine if a project would impact air navigation. The elevation of runway 14-32 at its southerly terminus is 1,488 feet above mean sea level (AMSL). At a distance of approximately 1,000 feet from the project to the nearest point on the runway, Federal Aviation Administration (FAA) Part 77 notification threshold would be 1,498 feet AMSL. The site elevation is 1,473 feet AMSL. Therefore, any objects greater than 25 feet in height would be exceed the FAA threshold and would be considered a prohibited use. These objects could include buildings, structures, landscaping, and in the project 's case, any tall vehicles or trailers that would exceed 25 feet in height.

4. There is a concern that vehicles, truck trailers, and shipping containers in the parking lot could contain hazardous materials. A definition of hazardous materials is provided in Table MA-2 footnote 14 (in the context of Accident Potential Zones) as toxic, explosive, corrosive. In the event an aircraft was to crash into a container that was storing hazardous materials, the resulting collision/explosion would be magnified due to the hazardous materials, which would further jeopardize the lives of the people on the ground and in the aircraft.
5. Hazards to flight is a prohibited use in the Clear Zone and is defined in Footnote #8 of Table MA-2 as: "Hazards to flight include physical (e.g. tall objects), visual, and electronic forms of interference with the safety of aircraft operations". The proposed parking lot may contain structures and vehicles, truck trailers, and cargo containers that could potentially interfere with the safety of aircraft operations.

Lastly, Table MA-2 identifies that in the Clear Zone, the required open land is "All Remaining", which would consist of the entire site. The purpose of the ALUC open land is that in the event an aircraft is forced to make an emergency landing, the risks to the people on board can be best minimized by providing as much open land area as possible.

In 2021, the City's General Plan '2040' and Zoning Code Amendments (PEN19-0240, PEN21-0030) were found consistent with the March ALUCP by the ALUC via ZAP1465MA21. These regulatory documents contained language requiring consistency with the March ALUCP and the Air Force Instruction (AFI) 32-7063, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57.

As part of this consistency finding by ALUC, a special recommendation was also made:

1. Add to the Circulation Element a discussion identifying Heacock Street's location within Zone A (Clear Zone) and the challenges that it presents with regards to satisfying Clear Zone criteria set forth in the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, the 2018 Air Installation Compatible Use Zone study, and the Department of Defense Instruction No. 4165.57. The following policy shall be added to the Circulation Element to ensure consistency with these plans: "C.2-13. The City will coordinate with the March Air Reserve Base and Airport Land Use Commission staff to ensure that Heacock Street within the Clear Zone is consistent with future land use plans adopted by the March Air Reserve Base and/or the Airport Land Use Commission".

The incorporation of this recommendation highlights the significant challenges concerning Heacock Street and the larger issues associated with the Clear Zone criteria. Furthermore, it also underlines the City's commitment in satisfying the various issues within the Clear Zone as it relates to the March ALUCP, and to the Air Force AFI 32-7063 and DoDI No. 4165.57. Lastly, it emphasizes the City's cooperation and coordination with the March Air Reserve Base and ALUC staff to ensure consistency of Heacock Street and the Clear Zone with land use compatibility plans adopted by ALUC and by the March Air Reserve Base.

A big reason as to why the City's General Plan was found consistent with the March ALUCP was because it included several goals and policies from the Land Use and Safety Elements which promoted appropriate land use development around March Air Reserve Base in order to protect the public health, welfare and safety.

Land Use Element:

Policy LCC.1-11. "Require new development be compatible with the standards for land

uses, density and intensity specified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan”.

Safety Element:

Goal S-4. “Minimize airport safety hazards and promote compatibility with airport operations”.

Policy S.4.1. “Limit hazards from flight operations in Moreno Valley through consistency with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan”.

Policy S.4-2. “Review all projects within the March Air Reserve Base/Inland Port Airport Influence Area for conformance with the compatibility criteria outlined in the March ALUC Plan”.

Policy S.4-3. “Minimize the potential for development adjacent to the March Air Reserve Base/Inland Port Airport to adversely affect airport operations such as by reducing the potential for bird strikes, electromagnetic interference, and glare” (as proposed in the City’s errata change list).

The ALUC contends that the proposed parking lot is not consistent with these airport land use compatibility goals and policies specified in the City’s General Plan as it would actively put people on the ground and in aircraft at harms risk in the Clear Zone where, as already stated above, 27.4% of all aircraft accidents occur.

In addition to the General Plan ‘2040’ documents, the City also included Zoning Code Amendments as part of its consistency finding. These documents also included language requiring consistency with the March ALUCP and the Air Force Instruction AFI 32-7063 and DoDI No. 4165.57.

1. Section 9.07.060 relates to Airport Land Use Compatibility Plan and directly references the March ALUCP and Table MA-2 criteria. It also provides the intent of the section as; “The purpose of this chapter is to establish and implement the requirements of the Riverside County Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport that affects land uses within the City of Moreno Valley and to encourage future development that is compatible with the continued operation of the March Air Reserve Base. It is also the intent of this section to recognize and implement the purpose for the guidelines contained in the March Air Reserve Base air installation compatible use zone report”.

Sub-section D states “For property located within a compatibility zone and subject to the airport land use compatibility plan policies and criteria, the ALUCP may be more restrictive than what would otherwise be allowed per City zoning designation applicable to the property. In addition to complying with the zoning requirements of this title, proposed uses and development on property within an airport compatibility zone must be determined to be consistent with, and comply with the compatibility criteria of the applicable compatibility zone and airport land use compatibility plan”.

Specifically, Section 9.07.060.B states “The provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zones and the ALUCP, the ALUCP shall take precedence”. This language provides an additional layer of conformance with the March ALUCP.

In addition, Section 9.07.060.B required “development within the Accident Potential

Zones (APZ's) be consistent with the Air Force Instruction 32-7063, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57. More specifically, future development within the APZs shall be consistent with the DoDI acceptable/not acceptable land use tables, as well as its intensity criteria, which limits intensity to a maximum of 25 people in any given acre in APZ-I and to a maximum of 50 people in any given acre in APZ-II".

It is the opinion of the ALUC that the proposed parking lot in the Clear Zone is inconsistent with the purpose and intent of these Zoning Code Amendments. The proposed parking lot is not an example of "encourage future development that is compatible with the continued operation of the March Air Reserve Base", actually, quite the opposite, as the proposed parking lot in the Clear Zone would have to be identified as 'encroachment' by the March Air Reserve Base, jeopardizing its future operations and existence.

The ALUC also contends that the Zoning Code Amendments establishes protocol in the event of multiple planning and airport zones are present, and that the correct protocol is "the provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zones and the ALUCP, the ALUCP shall take precedence". In the case of the proposed parking lot, the March ALUCP must take precedence over underlying planning zones in the event there are inconsistencies between the two in order to satisfy the goal and policies of protecting the public health, welfare, and safety.

The Zoning Code Amendments also contain language referencing conformity to the Air Force AFI 32-7063 and DoDI No. 4165.57 in Section 9.07.060.B (mentioned above), and Sub-section I.5 which states: "For discretionary actions proposed within the March ARB/IPA Accident Potential Zones (APZ-I and APZ-II) or within the Clear Zone, the proposed use and/or development shall, in addition to meeting the compatibility criteria of the March ALUCP, be consistent with current Air Force Guidance...".

The ALUC also recognizes the Air Force's jurisdiction in the Clear Zone, as set forth in the Air Force AFI 32-7063 and DoDI No. 4165.57, as well as the latest 2018 AICUZ. Table A-1 Appendix A of the 2018 AICUZ provides Land Use Compatibility Tables, which provides land use compatibility guidelines within the Clear Zones and Accident Potential Zones I and II (APZs). More specifically, it references under SLUCM (Standard Land Use Coding Manual) recommendation No. 46: Automobile Parking, is identified as a "NO" land use designation in the Clear Zone. The ALUC concurs with the Air Force 2018 AICUZ land use table, and that the placing of the proposed parking lot in the Clear Zone is not just inconsistent with the 2018 AICUZ and March ALUCP, but also a public health and safety risk.

Airport Land Use analysis also includes considering airport related restrictions on the title to the subject property. Riverside County Official Document recorded September 27, 1984, Record Document Number 209559, is a Clear Zone Easement that encumbers the property which was purchased by the United States of America for the sum of \$77,090.00, from Jennie Iparagurrie. The document identifies the easement as "being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project."

The document details rights granted in the easement, including but not limited to, Number 9 which states:

"The right to prohibit all land uses other than the following: a. agriculture; b. grazing (excluding feed lots and dairy herds); c. permanent open space; d. existing water areas; e. rights-of-ways for fenced two-land highways, without sidewalks or bicycle trails, and single tract railroads; and f. communications and utilities rights-of-ways".

The restrictive easement on the property in the Clear Zone, and its “right to prohibit all land uses” other than those specifically above, omits and prohibits parking lots use in the Clear Zone. The itemized list of permitted uses illustrates a well-defined picture of what is appropriate on this land in the Clear Zone. The proposed parking lot is clearly inconsistent with these parameters.

The ALUC presents these concerns to the City for its consideration while reviewing this parking lot in the Clear Zone. The role of the ALUC and the March ALUCP is to ensure that appropriate and compatible land uses are planned around the March Air Reserve Base in order to protect the public health, welfare, and safety. Incompatible land uses encroaching onto the Base must be avoided for that purpose and in order to secure the Base’s financial, military, and operational support to the community for the future. In adopting its General Plan 2040 and the current Zoning Ordinance the City of Moreno Valley has committed to apply and enforce these policies.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Paul Rull, ALUC Director

- cc: Mike Lee, City Manager, City of Moreno Valley
- Steve Manos, Chair, Airport Land Use Commission
- Gary Gosliga, Airport Manager, March Inland Port Airport Authority
- Major David Shaw, Base Civil Engineer, March Air Reserve Base
- Michael Smith, Aviation Safety Officer, CALTRANS Division of Aeronautics
- Dan Fairbanks, Planning Director, March Joint Powers Authority

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



GREATER RIVERSIDE CHAMBERS OF COMMERCE

The Chamber...building a stronger local economy

F.1.b

1.r

October 25, 2022

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St
Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin:

On behalf of the Greater Riverside Chambers of Commerce and its Military Affairs Council, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are concerned that the project has not been reviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in March Air Reserve Base (MARB). There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of March Air Reserve Base.

In preservation of MARB and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your consideration to oppose the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact the Chamber at 951-683-7100.

Respectfully,

Jamil Dada

Committee Chair of Military Affairs Council GRCC

cc: Members, City of Moreno Valley Planning Commission

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



**CITY OF
NORCO**
HORSETOWN USA

October 26, 2022

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

Subject: Planning Commission Public Hearing #1 – Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres in the Moreno Valley Industrial Area Specific Plan, Clear Zone District (Specific Plan 208)

Dear Ms. Descoteaux,

I am writing to you on behalf of the City of Norco to express the City’s opposition to Planning Commission Public Hearing #1 regarding PEN21-0102.

This is an issue of regional concern, as it relates to the future of March Air Reserve Base. As a city that benefits from the economic stimulus of a military base, the City of Norco recognizes that March Air Reserve Base is a significant economic driver for the region. While this is in some ways distant from Norco in miles, it is not distant in terms of economic impact.

The proposed development could jeopardize the future of March Air Reserve Base. The proposed development is inconsistent with the Land Use Compatibility Plan and may interfere with runway use, which in turn could harm projects and initiatives of regional significance, including the sizeable investment in new aerial refueling aircraft that will operate out of the Base.

This region has a considerable stake in the continued operation and success of March Air Reserve Base, therefore the City of Norco urges the Moreno Valley Planning Commission to oppose this proposed development.

Thank you for considering our comments. Please contact me if you have any questions or would like to discuss the above concern in further detail.

Sincerely,

Lori Sassoon
City Manager

Cc: Mike Lee, City Manager

CITY COUNCIL

GREG NEWTON
Mayor

ROBIN GRUNDMEYER
Mayor Pro Tem

KATHERINE ALEMAN
Council Member

KEVIN BASH
Council Member

TED HOFFMAN
Council Member

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

MARCH JOINT POWERS AUTHORITY

October 27, 2022

Julia Descoteaux
Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552

SUBJECT: PROJECT COMMENTS REGARDING THE HEACOCK LOGISTICS PARKING LOT

Dear Ms. Descoteaux:

The March Joint Powers Authority (March JPA) and the March Inland Port Airport Authority (MIPAA) are owners and operators of more than 300-acres of commercial airport properties at March Air Reserve Base (MARB). March JPA's airport operations rely heavily on the use of flying facilities at the Base under a Joint Use Agreement with the United States Air Force, and we oppose any development proposed within MARB's Clear Zone. Please accept this letter in opposition to the proposed Heacock Logistics Parking Lot project.

We have reviewed the project staff report, findings, proposed resolutions and California Environmental Quality Act (CEQA) Initial Study pertaining to the Heacock Logistics Parking Lot. We find that the staff report, environmental analysis and project findings inadequately analyze the proposed use because: 1) these documents fail to address the existing land use limitations established through a recorded federal easement across the project site; 2) these documents fail to address accident potential and safety concerns; and 3) these documents fail to consider Air Installation Accident Potential Zone (AICUZ) recommendations, as listed below:

A RECORDED CLEAR ZONE EASEMENT PROHIBITS THE PARKING LOT

Both the Initial Study and Planning Commission staff report fail to disclose the most significant issue, which is the "DEED FOR CLEAR ZONE EASEMENT". Through acquisition of a restrictive easement on this site, the United States purchased development rights on the property. The easement across the property specifically identifies that the United States acquired an interest in this property to prohibit all land uses except: a) agriculture; 2) grazing; c) permanent open space; d) existing water areas; e) rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and f) communication and utilities rights-of-way.

Please update the project analysis to address impacts to MARB and March JPA airport operations as it pertains to the disregard of a recorded federal clear zone easement across the property.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

October 27, 2022
Julia Descoteaux

THE SITE IS WITHIN AN AREA OF HIGH AVIATION ACCIDENT POTENTIAL

The site is located within the Clear Zone, which is an area with a higher statistical rate of aviation accidents. Both the Initial Study and Planning Commission staff report fail to disclose the safety concerns related to the proposed development within the Clear Zone. The staff report and initial study should identify that the 2005 March ARB AICUZ identifies military accident data, from 1968 – 1995, involving 838 aviation accidents, and that 27.4% of those aviation accidents occur within the Clear Zone.

Aircraft accidents at March ARB are extremely infrequent, but when they do occur, there is a catastrophic potential, in part due to the operation of larger aircraft and refueling aircraft that carry as much as 83,000 pounds of aviation fuel. Modern jet-powered (since WWII) aviation accidents have occurred on approach from the south, including a 1978 B-52 accident resulting in the death of the flight crew and a 1988 Lear jet accident which landed short of the runway, resulting in the death of both crew members.

Please update the project analysis to address impacts to life and safety as it pertains to a high aviation accident potential site.

THE AICUZ LAND USE GUIDANCE DOES NOT SUPPORT PARKING LOTS

The 2018 AICUZ provides land use guidance identifying the proposed parking lot is an inappropriate use. Specifically, the 2018 AICUZ Land Use Compatibility Table (Appendix A) identifies that standard land use coding manual (SLUCM) use 46 (Auto Parking) is not a recommended use within the Clear Zone. To be more specific, the AICUZ identifies that the only recommended uses in the Clear Zone are highways and street right-of-way, agriculture, fishing activities and undeveloped land, all of which are precisely consistent with the restrictive easement purchased by the United States of America.

Please update the project analysis to address land use impacts as it pertains to the federally issued AICUZ.

VISUAL AND AESTHETIC IMPACTS:

As with other facilities that accommodate trailer storage for the logistics industry along Heacock Street, please provide a 12-foot-high masonry screen wall to screen views of trailers from adjacent roadways.

Please update the project analysis to address aesthetics issues to the site.

TRANSPORTATION IMPACTS ALONG HEACOCK STREET:

The discussion regarding improvement of Heacock Street as a through street from San Michele Road to Harley Knox Boulevard has been ongoing for many years. In general, representatives of March ARB have supported alternative circulation methods which do not include this connection. March JPA respectfully requests that further discussions occur on this matter between March ARB officials and city staff.

October 27, 2022
Julia Descoteaux

Three significant issues of concern are presented regarding the inadequacy of the proposed project analysis as well as risks to life safety through the disregard of a federal easement across the project site. We respectfully request that the Planning Commission either deny the project or continue the item until the applicant presents a more reasonable project design that is coordinated with MARB and eliminates safety impacts to the public and the airport.

Sincerely,



Dan Fairbanks

March JPA Planning Director

cc: Major David N. Shaw, 452 Base Civil Engineer
Paul Rull, Director, Riverside County Airport Land Use Commission
Sean Kelleher, Moreno Valley Planning Director

Attach: Riverside County Recorded document #209559

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

449370 ✓K
209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
At Request of
TICOR TITLE INSURANCE CO.
Book 1984, Page 209559
SEP 27 1984
Recorder
William F. Parady
Fees: \$ 8

DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

In consideration of the sum of SEVENTY-SEVEN THOUSAND AND NINETY AND NO/100 DOLLARS (\$77,090.00) the receipt and sufficiency of which is hereby acknowledged, JENNIE IPARAJURRIE

hereby grants to the United States of America and its assigns a clear zone easement as described in exhibit "A," over the land described in exhibit "B," said exhibits being attached hereto and made a part hereof.

Said easement is being acquired for the use of the Air Force in connection with the March Air Force Base AIGUZ project, Riverside County, California, and is designated as Tract No. 1203-E in the records of the U.S. Army Engineer District, 300 North Los Angeles Street, Los Angeles, California 90012.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

This conveyance is made subject to existing easements for public highways, public roads, public utilities, railroads, pipelines, covenants, conditions and restrictions of record, and to any water rights, claims or title to water on or under said land.

Executed this 23 day of AUGUST, 1984.

Jennie Iparaguirre
JENNIE IPARAGUIRRE

Dated: August 23, 1984

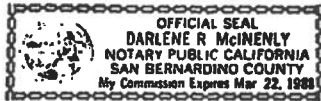
STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO } ss.

On AUGUST 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIE IPARAGUIRRE

personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.
WITNESS my hand and official seal.

Signature Darlene R. McInemly

(This space for Official Notarial Seal)



Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

March Air Force Base, CA
 Tract No. 1203-3
 Expanded Clear Zone

RESTRICTIVE EASEMENT

A perpetual and assignable easement is hereby created in the United States of America, hereinafter called the Government, for the establishment, maintenance and operation of a restrictive use area for the operation of aircraft to and from the air installation currently known as March Air Force Base, hereinafter called the Base, consisting of the following rights in the land described in Exhibit "A" for the following purposes:

1. The right to make low and frequent flights over said land to generate noises associated with:
 - a. aircraft in flight, whether or not while directly over said land;
 - b. aircraft and aircraft engines operating on the ground at said Base; and
 - c. aircraft engine test-stand operations at said Base.
2. The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.
3. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
4. The right to prohibit electrical emissions which would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.
5. The right to prohibit and remove any buildings or other non-frangible structures.
6. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the officer having command of the Base determines might interfere with the operation of aircraft, including emergency landings.
7. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.
8. The right to post signs on said land indicating the nature and extent of the United States' control over said land.
9. The right to prohibit all land uses other than the following:
 - a. agriculture;
 - b. grazing (excluding feed lots and dairy herds);

EXHIBIT A

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

RESTRICTIVE EASEMENT (cont'd)

- c. permanent open space;
- d. existing water areas;
- e. rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and
- f. communications and utilities rights-of-way.

10. The right to prohibit entry of persons onto the land except in connection with activities authorized under a., b., e., and f. above.

Subject, however, to existing easements for public roads and highways, public utilities, railroad, and pipelines, reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easements hereby acquired.

For the consideration recited above, the Grantor agrees to abide by the following covenant which shall run with the land: That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantor for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, and the Grantor expressly releases and relinquishes any and all claims against any of the aforementioned for further or future payment of consideration for the aforesaid easement and rights granted herein.

209559

DATE: 5 July 1983
TRACT: 1203-E-1
OWNER: Jennie Iparagurrie
ACREAGE: 9.72
PROJECT: March Air Force Base (AICUZ)
LOCATION: Riverside County, California
FILE: 281-T-1203-E-1

A parcel of land situate in the County of Riverside, State of California, being that portion in the West one-half of Lot 29 in Block 1 of Riverside Alfalfa Acres, as shown on map recorded in Book 8, page 21 of Maps, in the office of the Recorder of said County, and being that portion of the Southwest one-quarter of Section 31, Township 3 South, Range 3 West, San Bernardino Meridian, described as follows, basis of bearings being California Coordinate System, Zone 6, (Chap. 1307, Statutes of 1947):

Commencing at the Southwest corner of said Section 31, and the centerline intersection of Heacock Street and Oleander Avenue; thence leaving said Oleander Avenue North 01° 15' 51" East along the centerline of said Heacock Street a distance of 90 feet to the TRUE POINT OF BEGINNING; thence continuing North 01° 15' 51" East a distance of 576.50 feet to the North line of said Lot 29; thence South 89° 31' 20" East along last said lot line a distance of 693.92 feet; thence South 0° 15' 48" East a distance of 596.54 feet; thence North 89° 31' 34" West a distance of 731.99 feet to the TRUE POINT OF BEGINNING.

Containing 9.72 acres, more or less, including 0.397 acre lying within Heacock Street.

EXCEPTING any portion lying within the Riverside Flood Control 90 foot strip which includes the South 70 feet of said Lot 28.

ALSO EXCEPTING the West 10 feet of said Lot 28.

Written by: CP
Checked by: CU

FILE NO: 281-T-1203-E-1

EXHIBIT B

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

KEN CALVERT
42ND DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
2205 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0542
(202) 225-1986
FAX: (202) 225-2004

DISTRICT OFFICE:
400 SOUTH VICENTIA AVENUE
SUITE 125
CORONA, CA 92882
(951) 277-0042
FAX: (951) 277-0420



UNITED STATES
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

RANKING REPUBLICAN
DEFENSE

ENERGY AND WATER DEVELOPMENT

WWW.CALVERT.HOUSE.GOV
FACEBOOK.COM/REPKENCALVERT
@KENCALVERT

Dear Mayor Gutierrez,

I am writing to express my serious concern regarding the proposal to approve the development of an automobile parking lot adjacent to the south end of the runway at March Air Reserve Base (MARB). I am concerned the Airport Land Use Commission has not yet reviewed the project to determine the potential threat to operations at MARB and provide comments. There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study which that promotes collaborative planning, sustains the mission, and minimizes impact to MARB.

In that regard, it is my understanding that the easement held by the Department of Defense restricts all activities except agriculture, grazing, permanent open space, existing water rights, and communications and utility rights-of-way. I concur with the March Joint Powers Authority's assessment that the proposed automobile parking lot appears to violate the Clear Zone easement; and that, if approved, the project presents a clear and present danger to military and civilian air operations at MARB.

For decades, I have fought to protect the Base from encroachment and ensure mission success. My primary concern is that this project will negatively impact not only current operations, but the future mission of the new KC-46A tanker and the long-term viability of the Base. Accordingly, I respectfully request that you hold approval for this proposed project as currently sited, and that an alternative proposal be developed to mitigate the negative impacts noted above.

Thank you for your consideration. I welcome the opportunity to discuss this project with you at your convenience.

Sincerely,

KEN CALVERT
Member of Congress

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



EXECUTIVE OFFICE

JEFFREY A. VAN WAGENEN, JR.
COUNTY EXECUTIVE OFFICER

JUAN C. PEREZ
CHIEF OPERATING OFFICER

DAVE ROGERS
CHIEF ADMINISTRATIVE OFFICER

SAYORI BALDWIN, ASSISTANT CEO
HUMAN SERVICES

BRENDA DIEDERICH, ASSISTANT CEO
SPECIAL PROJECTS

CHARISSA LEACH, ASSISTANT CEO
PUBLIC WORKS & COMMUNITY SERVICES

ZAREH SARRAFIAN, ASSISTANT CEO
HEALTH SYSTEM

October 28, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley Community Development
14177 Frederick Street
Moreno Valley, CA 92553
Via Email to juliad@moval.org and USPS Mail

RE: Plot Plan (PEN21-0102) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan, Clear Zone District (Specific Plan 208).

Ms. Descoteaux:

We are providing this letter to state the County of Riverside's concerns, and opposition to, the proposed Plot Plan (PEN21-0102) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan, Clear Zone District (Specific Plan 208). It is our understanding that this item was continued to the Planning Commission meeting on December 22, 2022 to allow the applicant to meet with representatives from March Air Reserve Base (MARB) and staff from the March Joint Powers Authority (JPA).

The County shares the concerns outlined by the Riverside County Airport Land Use Commission (ALUC) in a letter dated October 24, 2022. The ALUC letter identifies impacts to public health, safety, and welfare within the "Clear Zone" (Zone A) as defined in the 2014 March Air Reserve Base/Inland Port Airport Land Use Plan (March ALUCP) and the U.S. Air Force 2018 Air Installation Compatibility Use Zone Study (AICUZ). The ALUC letter specifies why this use is inconsistent with the March ALUCP and the ALUC role of protecting the public health & safety and aircraft operations.

This parking lot use in the Clear Zone will be detrimental to the national defense operations at the March ARB. Parking lots are prohibited in the Clear Zone by U.S. Department of Defense Instruction (DoDI) No. 4165.57.

Attachment: Project Comments [Revision 1] (2022-183 : PEN21-0102 Heacock Logistics Parking Lot)
Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

The County has been working in partnership with the City and our other partner jurisdictions on the March Joint Powers Authority to prioritize protection of MARB as the highest priority due to its importance to our national defense and regional economic well-being. Studies done in 2014 estimated that MARB had an annual economic impact on the region of \$579M, which is much higher today. Given the Base's critical importance, the March JPA partner agencies have together embarked on the March Compatible Use Study to determine future measures needed to be considered for long-term base protection.

We appreciate the actions taken by the City to continue the hearing on this case to December in order to allow meaningful conversation between the City, applicant, and the MARB and MJPA. It is imperative that this matter be resolved in a way that protects the operations of MARB and is in the interest of its long-term protection, for the good of our entire region.

Sincerely,



Juan C. Perez
Chief Operating Officer
County of Riverside

CC: Supervisor Jeff Hewitt, Chairman, District 5
Supervisor Kevin Jeffries, District 1
Jeff Van Wagenen, Chief Executive Officer
Tina Grande, Principal Policy Analyst

MARK TAKANO
41ST DISTRICT, CALIFORNIA

COMMITTEE ON
VETERANS AFFAIRS

COMMITTEE ON
SCIENCE, SPACE, AND
TECHNOLOGY

Congress of the United States
House of Representatives
Washington, DC 20515

DC OFFICE
1507 LONGWORTH HOUSE OFFICE BUILDING
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(202) 225-7018 – FAX

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3403 10TH ST., STE 610
RIVERSIDE, CA 92501
(951) 222-0203

takano.house.gov

December 19, 2022

Chairperson Alvin DeJohnette
Planning Commission
14177 Frederick St.
Moreno Valley, Ca 92552

RE: Resolution No. 2022-41 and Resolution No. 2022-42

Dear Chairperson DeJohnette and Members of the Planning Commission:

I am writing to address the development of an automobile parking lot for Heacock Logistics on the Moreno Valley Industrial Area Plan on the east side of Heacock St and the north side of the Perris Valley Storm Drain. This proposed project is directly south of the March Air Reserve Base (MARB) runway and encroaches on the Clear Zone District.

On October 12, 2022, a letter from March JPA was sent to Moreno Valley Senior Planner Julia Descoteaux in which the March JPA indicated that current Clear Zone Easement held by the Department of Defense makes this project unsuitable for development. Furthermore, on October 21, 2022, a letter from Col. Aufderheide concurred with the March JPA's concerns and stressed that "due to the nature of military aviation operations, there is an increased risk of accidents within a Clear Zone, which justified the perpetual easement."

The Clear Zone Easement clearly states that the United States has acquired an interest in this property to prohibit all land uses except: a) agriculture; b) grazing; c) permanent open space; d) existing water areas; e) right-of-way for fenced two-lane highways without sidewalks or bicycle trails, and single tract railroads; and f) communications and utilities rights-of-way.

I share the concerns of the March Joint Powers Authority and Base Commander Col. Aufderheide and urge the Planning Commission to take these facts into consideration as they address and vote on Resolution No. 2022-41 and Resolution No. 2022-42 at the next Planning Commission meeting.

Sincerely,



Mark Takano
MEMBER OF CONGRESS

LEXUS OF RIVERSIDE

LEXUSOFRIVERSIDE.COM

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin,

As voting member for the Military Affairs Council of Greater Riverside Chambers of Commerce, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are concerned that the project has not been reviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in March Air Reserve Base (MARB). There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of March Air Reserve Base.

In preservation of MARB and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your consideration to oppose the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me directly at 951-354-4122.

Respectfully,

Elva Padilla
Business Development Manager

cc: Members, City of Moreno Valley Planning Commission



GREATER RIVERSIDE CHAMBERS OF COMMERCE

The Chamber...building a stronger local economy

December 20, 2022

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St
Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin:

On behalf of the Greater Riverside Chambers of Commerce and its Military Affairs Council, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are uncertain and concerned that March Air Reserve Base (MARB) has not been considered for coordination in the standard review process of the proposed project. This project remains unreviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in MARB. Persisting safety concerns remain with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of MARB.

In preservation of March Air Reserve Base and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your opposition of the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact the Chamber at 951-683-7100.

Respectfully,

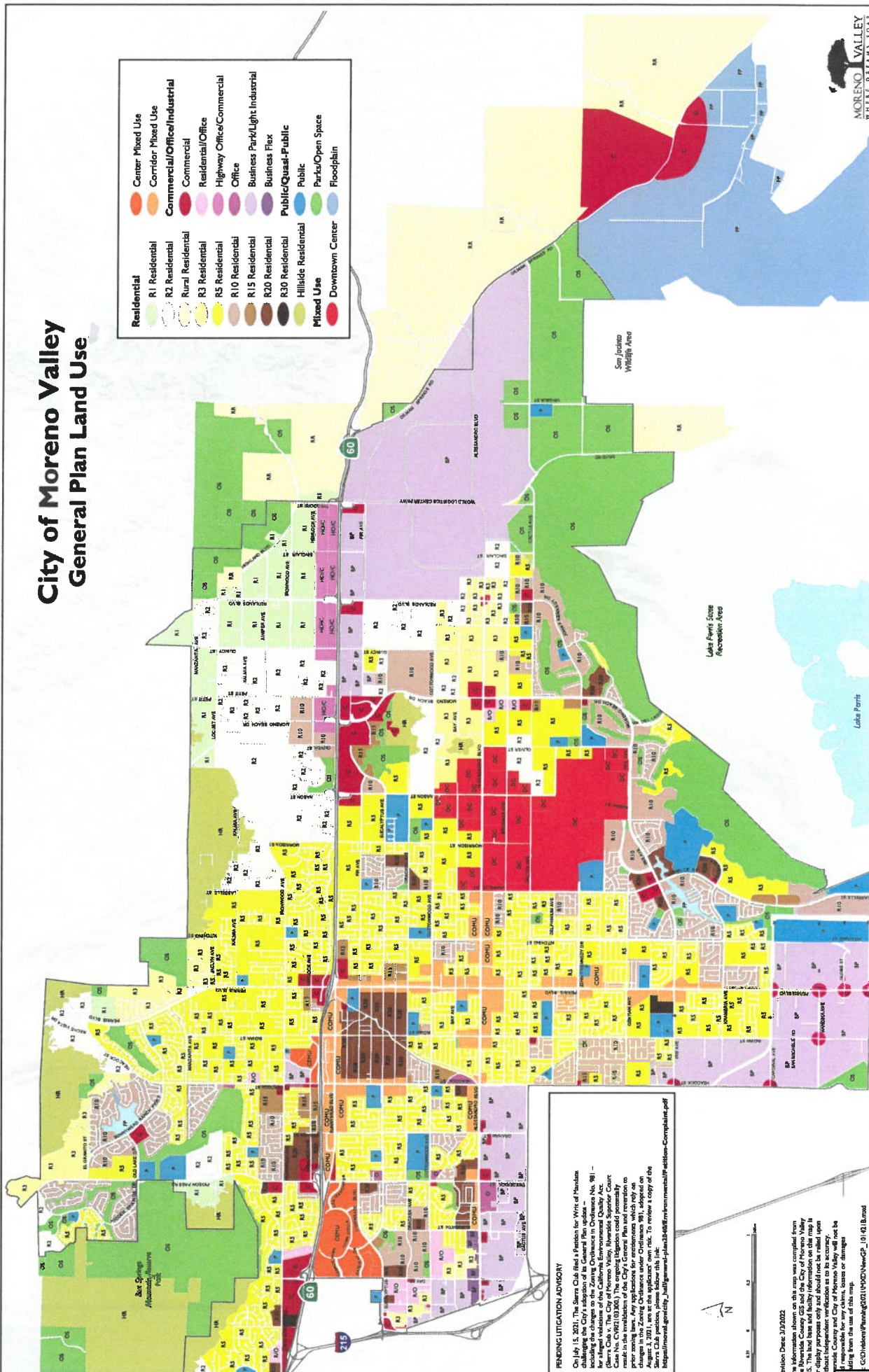
Nicholas Adcock
President/CEO

cc: Members, City of Moreno Valley Planning Commission

NA/am

City of Moreno Valley General Plan Land Use

- | | |
|----------------------|--------------------------------|
| Residential | Center Mixed Use |
| R1 Residential | Corridor Office/Industrial |
| R2 Residential | Commercial |
| R3 Residential | Residential/Office |
| R4 Residential | Highway Office/Commercial |
| R5 Residential | Office |
| R10 Residential | Business Park/Light Industrial |
| R15 Residential | Business Flex |
| R20 Residential | Public/Quasi-Public |
| R30 Residential | Public |
| Hillside Residential | Parks/Open Space |
| Mixed Use | Floodplain |
| Downtown Center | |



PENDING LITIGATION ADVISORY

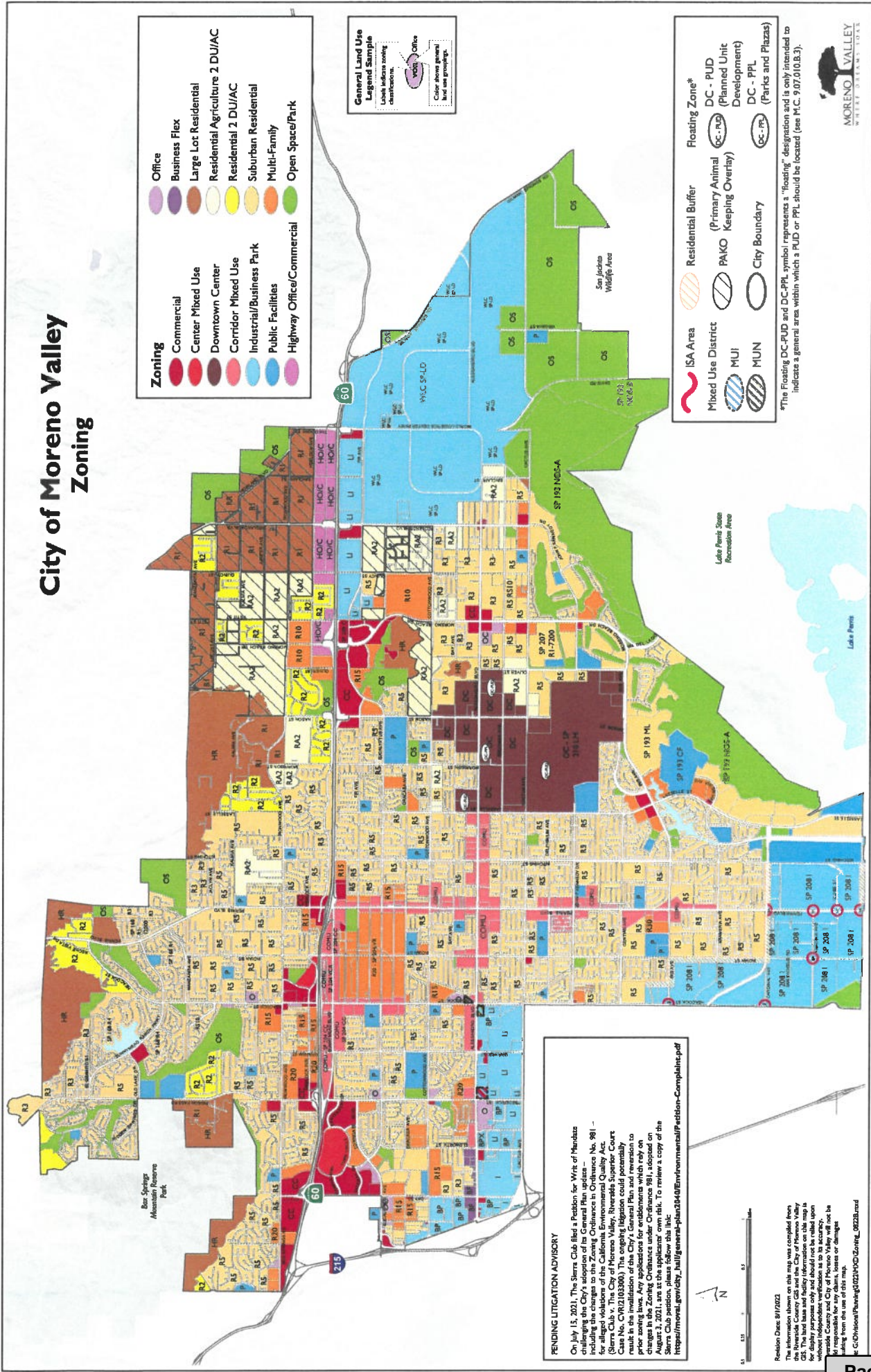
On July 15, 2021, The Sierra Club filed a Petition for Writ of Habeas Corpus challenging the City's adoption of its General Plan update – No. 981 – "Moreno Valley General Plan Update 2021-2029" for alleged violations of the California Environmental Quality Act (CEQA), the California Public Access Act (CPAA), and the California Public Records Act (CPRA). The City of Moreno Valley, Riverside Superior Court Case No. CR2101003, is currently pending. The City of Moreno Valley is currently in the process of reviewing the petition and may file a response to the petition. Any applications for encumbrances which rely on the General Plan update, including but not limited to, subdivision maps, zoning changes in the Zoning Ordinance under Ordinance 981, adopted on July 15, 2021, are hereby suspended until the litigation is resolved. To review a copy of the petition, please visit the following link: <https://www.ci.morenovalley.ca.gov/DocumentCenter/View/10000/CPRA-Request-981-CPRA-Request-981-CPRA-Request-981>

Revision Date: 2/10/2022

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land uses and facility information on this map is for informational purposes only and should not be relied upon for any legal or financial purposes. The City of Moreno Valley and Riverside County and City of Moreno Valley will not be responsible for any claims, losses or damages arising from the use of this map.

City of Moreno Valley GIS Department
C:\GIS\Information\Planning\GIS\2021\10000\NewGP_01_G1_Broad

City of Moreno Valley Zoning



- Zoning**
- Office
 - Business Flex
 - Large Lot Residential
 - Residential Agriculture 2 DU/AC
 - Residential 2 DU/AC
 - Suburban Residential
 - Multi-Family
 - Open Space/Park
 - Commercial
 - Center Mixed Use
 - Downtown Center
 - Corridor Mixed Use
 - Industrial/Business Park
 - Public Facilities
 - Highway Office/Commercial

General Land Use Legend Sample

Units indicate zoning classification.

Color shows general land use groupings.

Office

- Floating Zone***
- ISA Area
 - Residential Buffer
 - Mixed Use District
 - PAKO (Primary Animal Keeping Overlay)
 - MUJ
 - MUN
 - City Boundary
 - DC - PUD (Planned Unit Development)
 - DC - PPL (Parks and Plazas)
- *The Floating DC-PUD and DC-PPL symbol represents a "Floating" designation and is only intended to indicate a general area within which a PUD or PPL should be located (see P.C. 9.07.010.B.3).

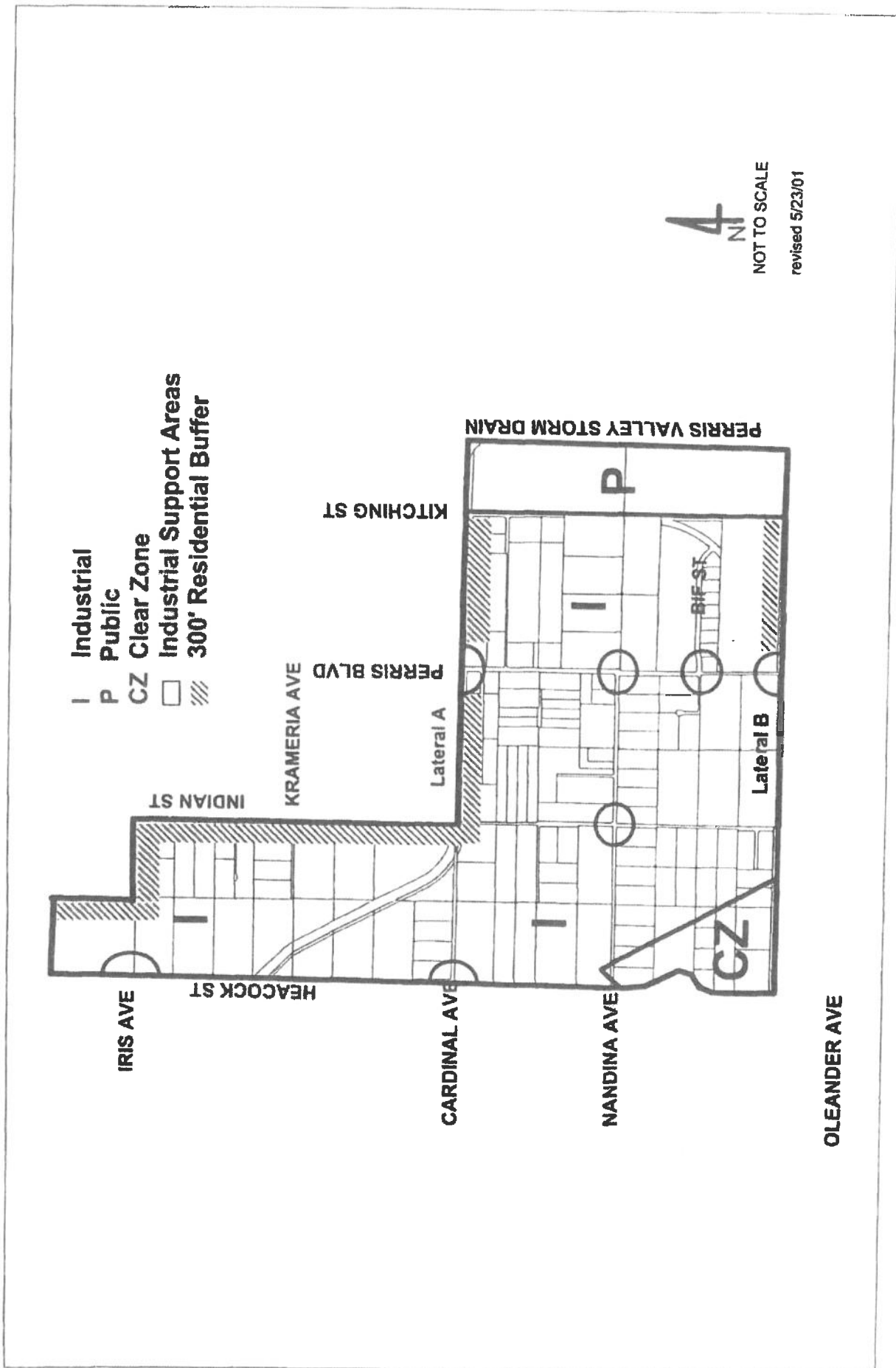
PENDING LITIGATION ADVISORY

On July 15, 2021, The Sierra Club filed a Petition for Writ of Habeas corpus challenging the City's adoption of its General Plan update – including the changes to the Zoning Ordinance in Ordinance No. 981 – for alleged violations of the California Environmental Quality Act (Sierra Club v. The City of Moreno Valley, Riverside Superior Court Case No. CR21033800). The ongoing litigation could potentially result in the City being required to rescind or amend the zoning changes in the Zoning Ordinance under Ordinance 981, adopted on August 1, 2021, are at the applicant's own risk. To review a copy of the Sierra Club petition, please follow this link: https://morenovalley.gov/city_files/general-plan/21-040/Environmental%20Petition-Complaint.pdf

Revision Date: 01/17/2022

The information shown on this map was compiled from various sources including the City of Moreno Valley GIS. The land uses and facility information on this map is for display purposes only and should not be relied upon for any legal or engineering purposes. The City of Moreno Valley and the City of Riverside County and City of Moreno Valley will not be responsible for any claims, losses or damages arising from the use of this map.

City of Moreno Valley GIS/Information Services/02/21/2022/02222.mxd



MAP III - 1

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)


Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
M <i>(Military)</i>	Federal Lands ▶ No ALUC authority	Federal Lands ▶ No ALUC authority
A Clear Zone <i>(if not on base)</i>	Noise Impact: Very High ▶ High CNEL and single-event noise levels	Risk Level: Very High ▶ Dimensions set to include Clear Zone as indicated in Air Installation Compatible Use Zone (AICUZ) study for airport ▶ Generally on air base property or controlled by easements
B1 <i>Inner Approach/Departure Zone</i>	Noise Impact: High ▶ Within or near 65-CNEL contour ▶ Single-event noise sufficient to disrupt many land use activities including indoors if windows open	Risk Level: High ▶ Within Accident Potential Zone I or II ▶ Additionally, zone boundary to north reflects turning flight tracks
B2 High Noise Zone	Noise Impact: High ▶ Within or near 65-CNEL contour ▶ Single-event noise sufficient to disrupt many land use activities including indoors if windows open	Risk Level: Moderate ▶ Beneath or adjacent to final approach and initial departure flight corridors or adjacent to runway ▶ Not within Accident Potential Zones
C1 <i>Primary Approach/Departure Zone</i>	Noise Impact: Moderate to High ▶ Within or near 60-CNEL contour ▶ Single-event noise may be disruptive to noise-sensitive land use activities; aircraft <2,000 feet above runway elevation on arrival and generally <3,000 feet above runway elevation on departure	Risk Level: Moderate ▶ Beneath or adjacent to low altitude overflight corridors
C2 <i>Flight Corridor Zone</i>	Noise Impact: Moderate ▶ Within 60 CNEL contour, but more than 5 miles from runway end; or ▶ Outside 60-CNEL contour, but regularly overflown in mostly daytime flight training ▶ Single-event noise may be disruptive to noise-sensitive land use activities; aircraft <3,000 feet above runway elevation on arrival	Risk Level: Moderate to Low ▶ Distant (beyond 5 miles) portion of instrument arrival corridor; or ▶ Closed-circuit flight training activity corridors
D <i>Flight Corridor Buffer</i>	Noise Impact: Moderate to Low ▶ Mostly within 55-CNEL contour ▶ More concern with respect to individual loud events than with cumulative noise contours	Risk Level: Low ▶ On periphery of flight corridors ▶ Risk concern primarily with uses for which potential consequences are severe (e.g. very-high-intensity activities in a confined area)
E <i>Other Airport Environs</i>	Noise Impact: Low ▶ Beyond 55-CNEL contour ▶ Occasional overflights intrusive to some outdoor activities	Risk Level: Low ▶ Within outer or occasionally used portions of flight corridors
 High Terrain Zone	Noise Impact: Low ▶ Individual noise events slightly louder because high terrain reduces altitude of overflights	Risk Level: Moderate ▶ Moderate risk because high terrain constitutes air-space obstruction ▶ Concern is tall single objects (e.g., antennas)

Table MA-1

Compatibility Zone Factors

March Air Reserve Base / Inland Port Airport



CITY OF MORENO VALLEY

MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT



**HEACOCK STREET AND PERRIS VALLEY STORM DRAIN
PEN21-0102, PEN21-0103, LST22-0011, LST21-0041, LWQ21-0028**

September 27, 2022

**Lead Agency
CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92552**

**Prepared By
CASC ENGINEERING AND CONSULTING, INC.**



1470 E. Cooley Dr.
Colton, CA 92324
(909) 783-0101 Ext. 5370

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

Project Description:

Lawrence Family Trust (“Applicant”) proposes to construct the Heacock Logistics Parking Lot (“Project”) which will be used for automobile parking on 9.14 acres located at the northeast corner of Heacock Street and the Perris Valley Storm Drain in the City of Moreno Valley (“City”) as illustrated in *Figure 1-1, Regional Vicinity Map and Figure 1-2, Aerial Imagery*.

The Project site is located in the southwestern portion of the Moreno Valley Industrial Area Plan (Specific Plan 208) designated as Clear Zone (CZ). The Specific Plan was originally approved by the City on June 27, 1989. The property consists of one (1) parcel (APN: 316-211-014). Specific Plan 208 was developed for the purpose of increasing flexibility in accommodating economic development opportunities and support uses (Specific Plan, p. I-3). Notably, the specific plan identifies roads, agriculture, automobile parking and open space as compatible land uses within the Clear Zone (SP, p.III-3).

The Project site is generally flat and vacant. Surrounding land uses include the March Air Reserve Base (MARB) to the northwest; industrial uses and vacant land to the north and east; and the Perris Valley Storm Drain to the south. The Project site is currently designated as Open Space per the City’s General Plan Update (June 15, 2021) as illustrated in *Figure 1-3, General Plan Land Use Map*. Per the City’s Zoning Map dated January 22, 2020, the Project site is designated as SP 208 CZ, *see Figure 1-4, Zoning Map*. Although the March 3, 2022, Zoning Map update does not explicitly identify the Project site as SP 208 CZ, the Specific Plan 208 boundary has not changed. Therefore, the Project site remains within SP 208 and is designated as CZ. SP 208 (Moreno Valley Industrial Area Plan) designates the site as Clear Zone (CZ) with land uses restricted to open space, agricultural, automobile parking, and roads. The Project site is located within Zone A (Clear Zone) of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan adopted by the Riverside County Airport Land Use Commission (ALUC). Zone A prohibits non-aeronautical structures, assemblage of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. There will be no structures, no assemblage of people, no objects exceeding FAA height limit, and no storage of hazardous materials on the Project site.

The Project includes a parking lot designed with 12’ x 30’ parking stalls for automobile parking as illustrated in *Figure 1-5 Site Plan*. Although the proposed Site Plan identifies 194 parking stalls, the Traffic Impact Analysis (TIA) dated May 19, 2022, prepared for the Project analyzed up to 440 automobiles. Thus, the analysis in this IS/MND assumes up to 440 automobiles parked at the site.

The Project will also include tubular steel fencing along the Heacock frontage with security coated chain-link fencing along the north, south and east perimeter of the site conforming to City standards restricting access onto the site. Access to the parking lot is proposed via a gated, full-access driveway off Heacock Street. There will be no personnel stationed at the site with the exception of up to two employees routinely checking the site throughout the day and night for security purposes. The Project hours of operation will be twenty-four (24) hours a day/seven (7) days a week. Up to twelve (12) shuttles a day will drive and pick-up drivers who have dropped off the automobiles and/or are picking up automobiles at the parking lot. Entrance into the lot will be gated and drivers will be required to use a card-key and/or access code to enter and exit the



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

lot. There are no structures proposed on the site. Bollards will be installed throughout the parking lot to provide lighting at night. Landscaping along the Project perimeter will consist of low-profile ground cover with shrubs and bushes.

A 10-foot setback is proposed along the perimeter of the Project site to the north, east, and south and a 15-foot landscaped setback is proposed along Heacock Street. The Project proposes a 24-foot access easement along the northern property boundary to allow access to the landlocked parcel directly east of the Project site.

Project Location:

East of Heacock Street and north of the Perris Valley Storm Drain. Assessor Parcel Number (APN): 316-211-014.

Project Proponent:

Lawrence Family Trust
P.O. Box 7200
Beverly Hills, CA 90212

Findings:

It is hereby determined that, based on the information contained in the attached Initial Study, the project would clearly not have a significant adverse effect on the environment.

Mitigation Measures:

No.	Mitigation Measure
AQ-1	<p data-bbox="337 1213 1385 1346">During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventative measures using the following procedures, as specified in SCAQMD Rule 403:</p> <ul style="list-style-type: none"> <li data-bbox="386 1367 1317 1465">• Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. <li data-bbox="386 1472 1377 1535">• Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. <li data-bbox="386 1541 1338 1604">• Indicate these control techniques in project specifications. Compliance with the measure will be subject to the City. <li data-bbox="386 1610 1377 1673">• Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible. <li data-bbox="386 1680 1360 1839">• All trucks hauling dirt, sand, soils, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

	<ul style="list-style-type: none"> Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin.
BIO-1	<p>Burrowing Owls</p> <p>A 30-day preconstruction Burrowing Owl Survey shall be performed by a qualified biologist recognized by the County of Riverside. The Applicant must provide documentation to the City confirming the “qualified” status of the biologist. The Burrowing Owl Survey results must be provided to the City prior to the issuance of a grading permit. After the survey, a technical memorandum of findings shall be prepared and sent to the California Department of Fish and Wildlife (CDFW), Environmental Programs Department (EPD) at the County of Riverside, and the Regional Conservation Authority.</p> <p>If the Project site is found positive for burrowing owl, coordination with CDFW will be mandatory and additional exclusionary and relocation efforts will be necessary.</p>
CR-1	<p>Archeological Monitoring</p> <p>Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>
CR-2	<p>Native American Monitoring</p> <p>Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseno Indians and Soboba Bank of Luiseno Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days’ advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

CR-3	<p>Cultural Resource Monitoring Plan (CRMP) The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ul style="list-style-type: none"> a. Project description and location b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the Project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project;
CR-4	<p>Cultural Resource Disposition In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ul style="list-style-type: none"> a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ul style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

	<p style="text-align: center;">Consulting Native American Tribal Governments prior to certification of the environmental document.</p> <p>The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>
<p>CR-5</p>	<p>Inadvertent Finds</p> <p>If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>
<p>CR-6</p>	<p>Human Remains</p> <p>If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>
<p>CR-7</p>	<p>Non-Disclosure of Reburial Locations</p> <p>It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be</p>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

	disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
CR-8	<p>Archeology Report - Phase III and IV</p> <p>Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>
HYD-1	The City's Municipal Separate Storm Sewer System (MS4) requires development projects to prepare and submit to the City for approval a site-specific Storm Pollution Prevention Plan (SWPPP) prior to the issuance of a grading permit. The Applicant shall adhere to and comply with the requirements noted in the respective project specific SWPPP for the duration of project-related activities.
HYD-2	The Applicant shall adhere to and comply with requirements noted in the City approved, project specific Water Quality Management Plan (WQMP) for the duration of project-related activities.

Attachments:

1. Initial Study

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

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- Appendix B Burrowing Owl Focused Survey Report (June 16, 2021)
- Appendix C Cultural Report (September 25, 2021)
- Appendix D Paleontological Report (September 27, 2021)
- Appendix E Geotechnical Investigation and Percolation Test Results (March 18, 2021)
- Appendix F EDR Radius Map (October 6, 2021)
- Appendix G Preliminary Drainage Analysis for Proposed Heacock Logistics Parking Lot (April 2022)
- Appendix H Preliminary Water Quality Maintenance Plan (WQMP) (April 18, 2022)
- Appendix I Traffic Impact Analysis (May 19, 2022)

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

CHAPTER ONE – ENVIRONMENTAL CHECKLIST

1.1 Project Summary

1. Project Title: Heacock Logistics Parking Lot Project

2. Lead Agency Name and Address:

City of Moreno Valley
Community Development Department, Planning Division
14177 Frederick Street, Moreno Valley, CA 92552

3. Contact Person and Phone Number:

Julia Descoteaux, Senior Planner, Community Development, City of Moreno Valley
(951) 413-3209

4. Project Location: East of Heacock Street and north of the Perris Valley Storm Drain.
Assessor Parcel Number (APN): 316-211-014

5. Project Applicant's Name and Address:

Lawrence Family Trust
P.O. Box 7200, Beverly Hills, CA 90212

6. General Plan Designation: Open Space

7. Zoning Designation: Specific Plan 208 CZ

8. Project Description: Lawrence Family Trust ("Applicant") proposes to construct the Heacock Logistics Parking Lot ("Project") which will be used for automobile parking on 9.14 acres located at the northeast corner of Heacock Street and the Perris Valley Storm Drain in the City of Moreno Valley ("City") as illustrated in *Figure 1-1, Regional Vicinity Map* and *Figure 1-2, Aerial Imagery*.

The Project site is located in the southwestern portion of the Moreno Valley Industrial Area Plan (Specific Plan 208) designated as Clear Zone (CZ). The Specific Plan was originally approved by the City on June 27, 1989. The property consists of one (1) parcel (APN: 316-211-014). Specific Plan 208 was developed for the purpose of increasing flexibility in accommodating economic development opportunities and support uses (Specific Plan, p. I-3). Notably, the specific plan identifies roads, agriculture, automobile parking and open space as compatible land uses within the Clear Zone (SP, p.III-3).

The Project site is generally flat, unimproved and vacant. Surrounding land uses include the March Air Reserve Base (MARB) to the northwest; industrial uses and vacant land to the north and east; and the Perris Valley Storm Drain to the south. The Project site is currently designated as Open Space per the City's General Plan Update (June 15, 2021) as illustrated in *Figure 1-3, General Plan Land Use Map*. Per the City's Zoning Map dated January 22, 2020, the Project site is designated as SP 208 CZ, see *Figure 1-4, Zoning Map*. Although the March 3, 2022,



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

Zoning Map update does not explicitly identify the Project site as SP 208 CZ, the Specific Plan 208 boundary has not changed. Therefore, the Project site remains within SP 208 and is designated as CZ. SP 208 (Moreno Valley Industrial Area Plan) designates the site as Clear Zone (CZ) with land uses restricted to open space, agricultural, automobile parking, and roads. The Project site is located within Zone A (Clear Zone) of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan adopted by the Riverside County Airport Land Use Commission (ALUC). Zone A prohibits non-aeronautical structures, assemblage of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. There will be no structures, no assemblage of people, no objects exceeding FAA height limit, and no storage of hazardous materials on the Project site.

The Project includes a parking lot designed with 12' x 30' parking stalls for automobile parking as illustrated in Figure 1-5 Site Plan. Although the proposed Site Plan identifies 194 parking stalls, the Traffic Impact Analysis (TIA) dated May 19, 2022 prepared for the Project analyzed up to 440 automobiles. Thus, the analysis in this IS/MND assumes up to 440 automobiles parked at the site.

The Project will also include tubular steel fencing along the Heacock frontage with security coated chain-link fencing along the north, south and east perimeter of the site conforming to City standards restricting access onto the site. Access to the parking lot is proposed via a gated, full-access driveway off Heacock Street. There will be no personnel stationed at the site with the exception of up to two employees routinely checking the site throughout the day and night for security purposes. The Project hours of operation will be twenty-four (24) hours a day/seven (7) days a week. Up to twelve (12) shuttles a day will drive and pick-up drivers who have dropped off the automobiles and/or are picking up automobiles at the parking lot. Entrance into the lot will be gated and drivers will be required to use a card-key and/or access code to enter and exit the lot. There are no structures proposed on the site. Bollards will be installed throughout the parking lot to provide lighting at night. Landscaping along the Project perimeter will consist of low-profile ground cover with shrubs and bushes.

A 10-foot setback is proposed along the perimeter of the Project site to the north, east, and south and a 15-foot landscaped setback is proposed along Heacock Street. The Project proposes a 24-foot access easement along the northern property boundary to allow access to the landlocked parcel directly east of the Project site.

9. Surrounding Land Uses and Setting: The Project site is designated as Open Space per the City's General Plan and is zoned as SP 208 CZ per the City's Zoning Map (*see Figures 1-3, General Plan Land Use Map and 1-4 Zoning Map*). Immediate surroundings include industrial uses zoned as SP 208 CZ and SP 208 I (Industrial) to the north and the east, March Air Reserve Base to the northwest, and the Perris Valley Storm Drain to the south.

North: The Project site is bound by a vacant parcel zoned as SP 208 CZ and the March Air Reserve Base (MARB).

South: The Project site is bound by the Perris Valley Storm Drain.



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

East: The Project site is bound by a vacant parcel zoned as SP 208 CZ.

West: MARB.

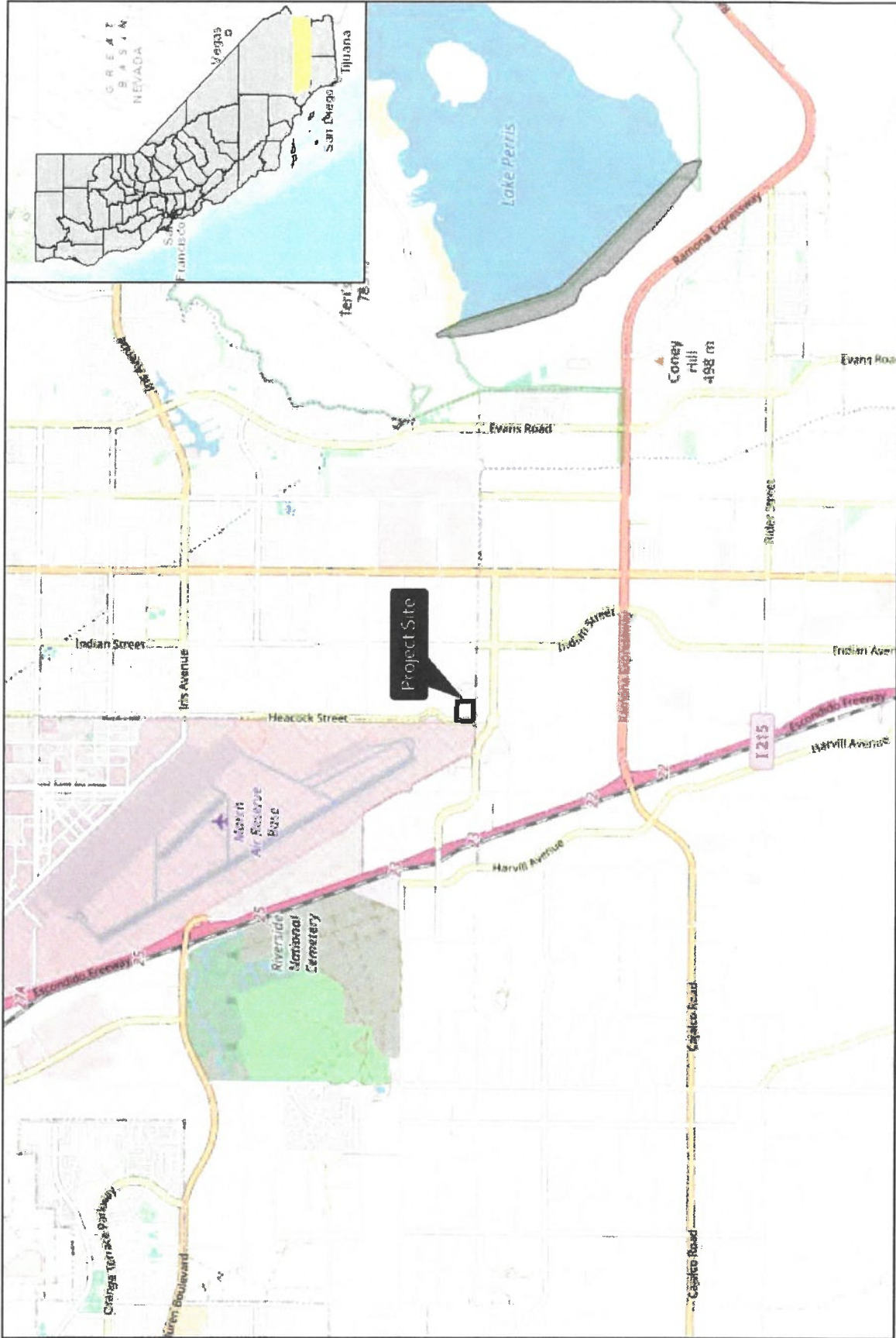
10. Other Public Agencies Whose Approval is Required (e.g. permits, financing approval, or participation agreement):

None.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City, Lead Agency, has initiated the AB 52 process with Agua Caliente Band of Cahuilla Indians, Pechanga Band of Luiseño Indians, Soboba Band of Luiseño Indians, and Rincon Band of Luiseño Indians. Consultation pursuant to AB 52 has been closed with each of the Tribal Governments.

FIGURE 1-1: REGIONAL VICINITY MAP



Source: ESRI, County of Riverside, City of Moreno Valley



Figure 1-1: Regional Vicinity

HEACOCK LOGISTICS - CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE

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FIGURE 1-2: AERIAL IMAGERY MAP



Source: ESRI, County of Riverside, City of Moreno Valley

CASC
Engineering and Consulting

N

Project Boundary

0 250 500 1,000 Feet

Figure 1-2: Aerial Map
 HEACOCK LOGISTICS - CITY OF
 MORENO VALLEY, COUNTY OF RIVERSIDE

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

FIGURE 1-3: GENERAL PLAN LAND USE MAP

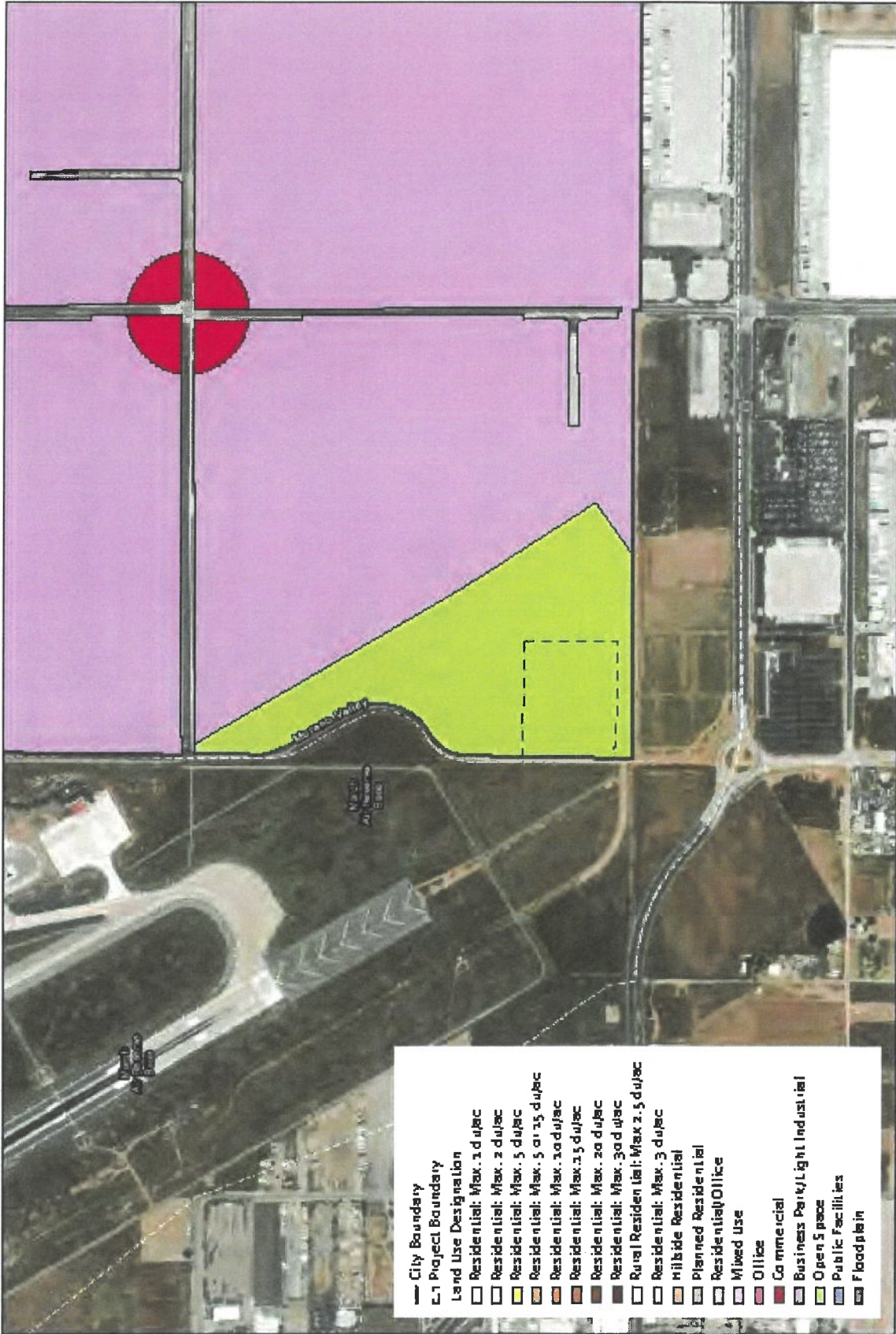


Figure 1-3: General Plan Land Use Designation
HEACOCK LOGISTICS - CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

FIGURE 1-4: ZONING MAP



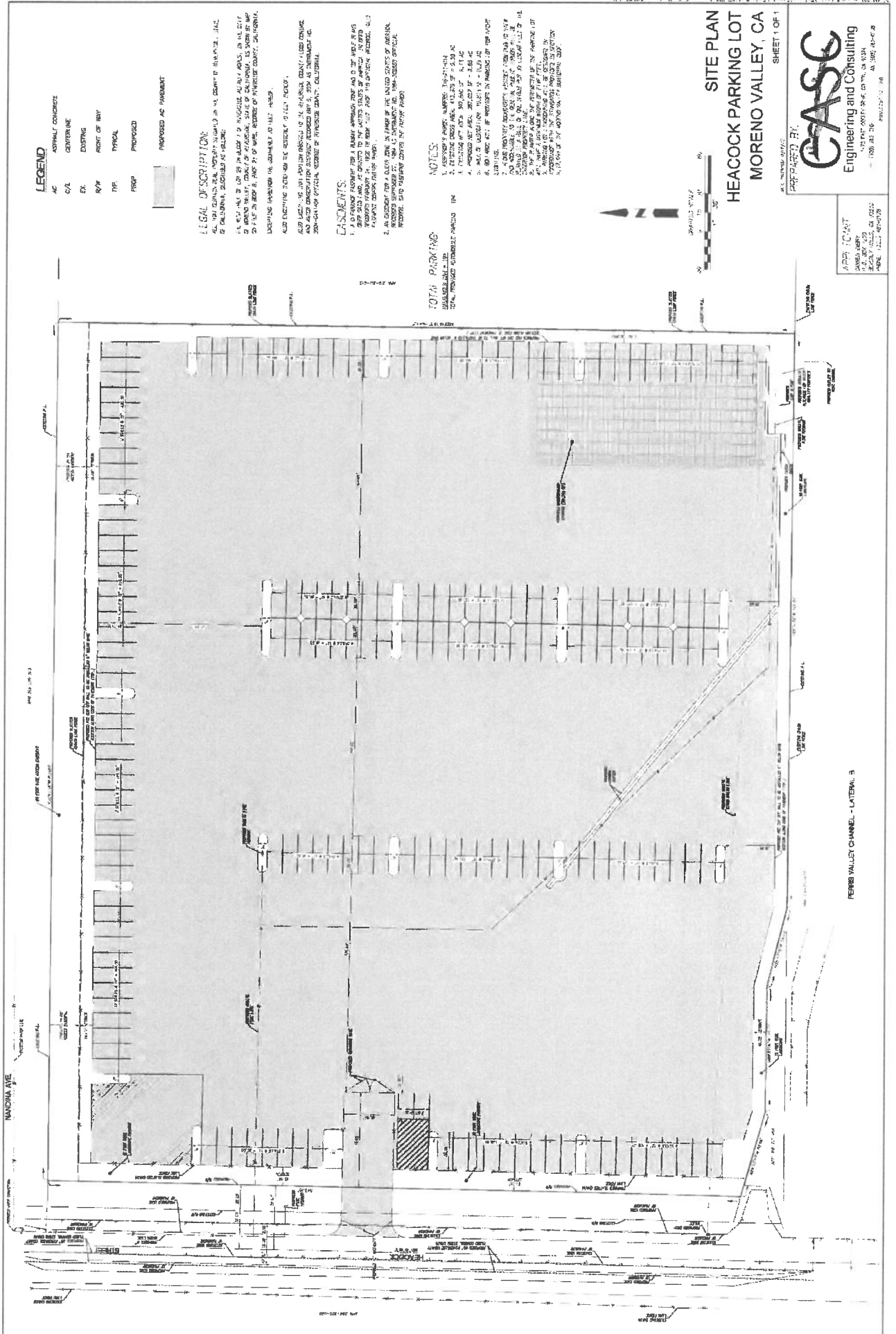
Source: ESRI, County of Riverside, City of Moreno Valley

Figure 1-4: Zoning
HEACOCK LOGISTICS - CITY OF
MORENO VALLEY, COUNTY OF RIVERSIDE



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FIGURE 1-5: SITE PLAN



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1.2 Environmental Factors Potentially Affected


The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact."

<input type="checkbox"/>	<u>Aesthetics</u>	<input type="checkbox"/>	<u>Agriculture and Forestry Resources</u>	<input type="checkbox"/>	<u>Air Quality</u>
<input type="checkbox"/>	<u>Biological Resources</u>	<input type="checkbox"/>	<u>Cultural Resources</u>	<input type="checkbox"/>	<u>Geology/Soils</u>
<input type="checkbox"/>	<u>Greenhouse Gas Emissions</u>	<input type="checkbox"/>	<u>Energy</u>	<input type="checkbox"/>	<u>Hydrology/Water Quality</u>
<input type="checkbox"/>	<u>Land Use/Planning</u>	<input type="checkbox"/>	<u>Hazards & Hazardous Materials</u>	<input type="checkbox"/>	<u>Noise</u>
<input type="checkbox"/>	<u>Population/Housing</u>	<input type="checkbox"/>	<u>Mineral Resources</u>	<input type="checkbox"/>	<u>Recreation</u>
<input type="checkbox"/>	<u>Transportation/Traffic</u>	<input type="checkbox"/>	<u>Public Services</u>	<input type="checkbox"/>	<u>Utilities/Service Systems</u>
<input type="checkbox"/>	<u>Mandatory Findings of Significance</u>	<input type="checkbox"/>	<u>Tribal Cultural Resources</u>	<input type="checkbox"/>	<u>Wildfire</u>

1.3 Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Julia Descoteaux
 Senior Planner

9/27/2022
 Date

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1.4 Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the Project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g. the Project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant Impact with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant Impact with Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats;

however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significant.

CHAPTER TWO – INITIAL STUDY CHECKLIST AND SUBSTANTIATION

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10 – Open Space & Resource Conservation
 - Map OSRC-3: Scenic Resources and Ridgelines
2. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
 - General Design Guidelines, Section 4, Lighting, Page III-19
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.110 – Light and Glare of the Moreno Valley Municipal Code.
 - Chapter 9.16 – Design Guidelines
4. California Department of Transportation, 2018. List of eligible and officially designated State Scenic Highways. 2018. Available on-line at:
<http://www.dot.ca.gov/design/lap/livability/scenic-highways/2017-03DesigandEligible.xlsx>

Discussion of Impacts

- a) Have a substantial adverse effect on a scenic vista?

Less than Significant Impact: The Project site is located within the southwestern portion of the City, adjacent to the March Air Reserve Base (see Figure 1-1, Regional Vicinity Map). The nearest major scenic resource is the Russel Mountain range which is located over two miles northeast of the Project site. According to General Plan Map OSRC-3:

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Scenic Resources and Ridgelines, the Project site is not located within the view corridor for Russel Mountains (City of Moreno Valley, 2021, p. 10-11). While outside of the view corridor for the Russell Mountain range, some views are available from the Project site, however, these views are not considered to be distinct and prominent due to the intervening development and their distance and orientation in relation to the Project site. Within the vicinity of the Project site is vacant land, light industrial uses, and March Air Reserve Base. The major scenic resources within the Moreno Valley study area are visible from State Route 60 and Moreno Beach Drive. The Project site is approximately 6 miles south of the State Route 60 and Moreno Beach Drive interchange, and the view is buffered by urban development. Accordingly, implementation of the proposed Project would not have a substantial adverse effect on a scenic vista. Thus, less than significant impacts would occur.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact: The Project site is located along the east side of Heacock Street and along the northside of the Perris Valley Storm Drain. The Project site is not located within or adjacent to a scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings, or historic buildings. The property is vacant and disturbed (i.e. disked), therefore, the property does not contain any scenic resources. There are no State-designated or eligible scenic highways within the vicinity of the Project site (CalTrans, 2017). The Project site is located approximately 5.5 miles south of State Route 60, which the City's General Plan identifies as a "Scenic Route" (City of Moreno Valley, 2021). The Project includes 194 automobile parking stalls with fencing around the perimeter. Fencing would not be significantly visible from either highway due to intervening development and distance between the scenic route and the Project site. Accordingly, the Project site is not located within a state scenic highway corridor and implementation of the proposed Project would not have a substantial effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor. Thus, a less than significant impact would occur.

- c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact: Construction of the Project would result in the visual conversion of the site from vacant land to 194 parking stalls for automobiles with fencing around the perimeter. The Project would be compatible with the size, scale, and aesthetic qualities of other parking lots constructed in the City and would be required to comply with the applicable development standards and design guidelines contained in the Moreno Valley Zoning Ordinance. The Project does not conflict with applicable zoning and other regulations governing scenic quality. The proposed Project will be subject to conformance with design guidelines and criteria after approval to create a synchronous visual character with the surroundings. Therefore, implementation of the proposed Project would not have

a substantial adverse effect on a scenic vista, and a less than significant impact would occur.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact: Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused from unshielded or misdirected lighting sources, as well as reflective surfaces. The City of Moreno Valley Municipal Code Section 9.16.280 includes design standards for outdoor lighting that apply to all development in the City (City of Moreno Valley, 2017). The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances (e.g., blinking/flashing lights, unusually high intensity, or needlessly bright lighting). Although the proposed Project would be required to adhere to the applicable requirements of the City of Moreno Valley Municipal Code, the proposed Project would introduce new sources of light at the developed Project site, including parking and security lighting with the installation of bollards for night lighting. Project lighting will be bollards since the site is located within the Airport Land Use Compatibility Plan Zone A (Clear Zone). As described in the Moreno Valley Industrial Area Plan, “the use of ‘full cut off fixtures shall be used adjacent to the MARB/MIP to reduce nighttime glare towards the flight line” (City of Moreno Valley, 2002). The additional light sources on site due to the Project are not anticipated to be substantial enough, with the installation of bollards instead of standard light fixtures, to adversely affect day or nighttime views in the area. Thus, a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. Agricultural Resources – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to the information compiled by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land, including the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10 – Open Space & Resource Conservation
 - Map OSRC-1: Regional Open Space and Trails
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.2 – Agriculture and Forestry Resources
 - Figure 4.2-1 FMMP Important Farmlands
3. California Department of Conservation (CDC), California Important Farmland Finder (CIFF), 2016
4. Heacock Parking EDR report #6691976.11, Environmental Data Resources, Inc., October 6, 2021.

Discussion of Impacts

- a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?

Less than Significant Impact: The California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP) identifies and maps significant farmland. Farmland is classified using a system of five categories including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance or Potential, and Grazing Land. The classification of farmland is determined by a soil survey conducted by the Natural Resources Conservations Service (NRCS) which analyses the suitability of soils for agricultural production.

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Based on the Important Farmland Finder, an interactive GIS application, the Project site is classified as “Prime Farmland” (CDC, 2018; City of Moreno Valley, 2021). Therefore, the proposed Project would convert Prime Farmland to non-agricultural use. However, the Project’s underlying zoning, Moreno Industrial Area SP 208 CZ, allows land uses restricted to open space, agricultural, automobile parking, and roads. The property is currently vacant and is not used for agricultural uses. Furthermore, Policy OSRC.1-6 of the 2021 General Plan Update states that “[w]here agriculture exists within the City limits, allow uses to continue until urban development occurs on these properties and support appropriate commercial activities (i.e. horse stables, agri-tourism) in rural areas in and around Moreno Valley” (City of Moreno Valley, 2021). Thus, the Project is consistent with the policies of the General Plan and is projected in future buildout of the City.

An Environmental Data Resources (EDR) report produced aerial imagery dating back to 1938. Review of these aerial photos revealed that the Project site did not contain agricultural uses between the years of 1938 and 2012. A portion of the Project site, approximately one-third of the 9.14-acres, appears to have been utilized for farming for a short time between 2013 and 2016. The Applicant has indicated that onions were grown on the site at this time. Due to the small area utilized for farming, the Project site would not have produced a significant economic yield from the planted crops. Following 2016, the crops were removed, and the Project site remains vacant to this date. Over the seventy-four (74) years prior to 2012, and for the past five (5) years, the Project site has not been utilized for farming or any other agricultural uses.

Based on the aforementioned, the development of the property would convert Prime Farmland to a non-agricultural use, however, this would not be considered a significant environmental effect to agricultural resources since the site has been mostly vacant since 1938 with the exception of onions planted on a small portion of the site between 2013 and 2016. Thus, a less than significant impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Less than Significant Impact: The Project site is currently zoned as Moreno Industrial Area SP 208 CZ. Additionally, the Project site is identified as Prime Farmland according to Map OSCR-1: Regional Open Space and Trails of the General Plan. While the underlying zoning allows agricultural uses, the Moreno Industrial Area SP 208 also allows open space, automobile parking, and roads on the Project site. Therefore, implementation of the Project would not conflict with the existing zoning. As disclosed in the General Plan (and supported mapping information from the California Department of Conservation), no land within the City is under a Williamson Act Contract (CDC, 2018; City of Moreno Valley, 2021). As such, a less than significant impact would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?

No Impact: The Project site is not zoned as forest land, timberland, or Timberland Production, nor is the site surrounded by forest land, timberland, or Timberland Production land. The site is vacant and disturbed. There are no lands located within the City of Moreno

Valley that are zoned for forest land, timberland, or timberland zoned Timberland Production (City of Moreno Valley, 2021). Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact: The City does not possess any forestland; thus, the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use (City of Moreno Valley, 2021). As such, no impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

Less than Significant Impact: As previously discussed under Section II (a), the Project site is classified as "Prime Farmland" by the California Department of Conservation. The Project site is vacant and contains no active agricultural uses under existing conditions. The property shows evidence of being routinely disturbed (i.e., disked). Implementation of the Project would not involve other changes in the existing environment that would result in the conversion of Farmland to nonagricultural use or forest land to non-forest use outside of the boundaries of the Project site. A less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 8 – Environmental Justice

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.3 – Air Quality
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.050 – Air Quality of the Moreno Valley Municipal Code
 - Section 9.10.150 – Odors of the Moreno Valley Municipal Code
 - Section 9.10.170 – Vibration of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Section 12.50.040 – Limitations on Engine Idling
5. Heacock Logistics Trailer Parking Lot Project Air Quality and Global Climate Change Impact Analysis, Ganddini, October 12, 2021. (*Appendix A*)

Regulatory Setting: The Project site is located in the South Coast Air Basin (SCAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. The Project site is located within the SCAB, a 6,745-square mile subregion of the SCAQMD, which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. The U.S. EPA has set National Air Quality Standards (NAAQS) and monitoring requirements for six principal pollutants, which are called "criteria pollutants," including Ozone (O₃), Particulate Matter (PM) (including both PM₁₀ and PM_{2.5}), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead (Pb). The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Currently, the SCAB is in nonattainment for Ozone (O₃) and PM_{2.5} under state and federal air quality standards, and PM₁₀ under state air quality standards. The attainment status of criteria pollutants in the SCAB are shown in Table 3-1 below. The federal Clean Air Act (CAA) requires areas that are not attaining the national ambient air quality standards (NAAQS) to develop and implement an emission reduction strategy that will bring the area into attainment in a timely manner. The SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent AQMP for the SCAB was published in 2016. The SCAQMD has developed regional and localized significance thresholds (LST) for criteria pollutants, which indicate that any Projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered having an individually and cumulatively significant air quality impact. Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD CEQA Air Quality Handbook, consistency with the AQMP is affirmed when a Project (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation and (2) is consistent with the growth assumptions in the AQMP.

Table 3-1 Attainment Status of Criteria Pollutants in the SCAB

Pollutant	State Status	National Status
Ozone	Nonattainment	Nonattainment (Extreme)
Carbon monoxide	Attainment	Maintenance (Serious)
Nitrogen dioxide	Attainment	Maintenance (Primary)
Sulfur dioxide	Attainment	Attainment/Unclassified
PM10	Nonattainment	Maintenance (Serious)
PM2.5	Nonattainment	Nonattainment (Moderate)

Source (Federal and State Status): California Air Resources Board (2020) <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations> & US EPA (2020) <https://www.epa.gov/green-book>.

Discussion of Impacts

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact: The SCAQMD Air Quality Management Plan (AQMP) establishes thresholds for criteria pollutants; projects that exceed any of the indicated daily thresholds should be considered as having an individually and cumulatively significant air quality impact and are not in compliance with the AQMP. The primary purpose of the air quality plans is to bring an area that does not attain federal and state air quality standards into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

Based on the air quality modeling analysis contained in the Air Quality and Global Climate Change Impact Analysis, the proposed Project will generate emissions of NO_x, ROG, CO, PM10, and PM2.5. However, these emissions would not exceed the SCAQMD regional or local thresholds and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Due to the magnitude of traffic that the Project is anticipated to create, no violations of the state and federal CO standards are projected to occur (see Appendix A). The Air Quality Analysis concluded that short-term construction impacts, and long-term operation impacts of the proposed Project will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. Therefore, the proposed Project would not create emissions that would exceed those assumed in the AQMP and would therefore be consistent with the AQMP. Impacts related to air quality plan consistency would be less than significant.

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact with Mitigation Incorporated: The Project area is out of attainment for ozone, PM10, and PM2.5. The AQMD states that individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

Construction Impacts

As discussed above in section (a), short-term construction impacts of the proposed Project will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. Furthermore, Mitigation Measure **AQ-1** ensures adherence to SCAQMD Rule 403 (Fugitive Dust). Implementation of these control measures will further reduce criteria pollutant emissions. Therefore, Project construction-source emissions would be considered less than significant on a project-specific and cumulative basis.

Operational Impacts

Long-term air quality impacts generally involve mobile source emissions generated from project-related traffic and stationary source emissions. The Project does not contain any stationary source emissions; however, the Project will generate traffic-related emissions. These long-term operation traffic-related emissions will not result in significant impacts based on the SCAQMD regional and local thresholds of significance.

Thus, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Impacts would be less than significant with mitigation incorporated.

- c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.

The nearest sensitive receptors to the Project site include the existing single-family detached residential dwelling unit located approximately 1,409 feet southwest and 1,570 feet south of the Project site. Other air quality sensitive land uses are located further from the Project site and would experience lower impacts (*see Appendix A*). As discussed

above in sections (b), Mitigation Measure **AQ-1** ensures adherence to SCAQMD Rule 403 (Fugitive Dust). Implementation of these control measures will further reduce criteria pollutant emissions due to construction, and a less than significant impact will occur with incorporated mitigation.

- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Less than Significant Impact: The Project will not involve land uses that are typically associated with odor complaints, as are agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt during construction activities. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. Regarding operational odors, the Project would be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the Project construction and operations would be less than significant and no mitigation is required.

Mitigation Measures

Mitigation:

(III.)

(b, c)

AQ-1

During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventative measures using the following procedures, as specified in SCAQMD Rule 403:

- Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least twice daily with complete coverage, preferably in the late morning and after work is done for the day.
- Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust.
- Indicate these control techniques in project specifications. Compliance with the measure will be subject to the City.
- Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible.
- All trucks hauling dirt, sand, soils, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer.
- Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10 – Open Space & Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.4 – Biological Resources

3. Burrowing Owl Focused Survey Report for Heacock Logistics Parking Lot Project, CASC Engineering and Consulting, June 16, 2021. (*Appendix B*)
4. Preliminary Drainage Analysis for Proposed Heacock Logistics Parking Lot, CASC Engineering and Consulting, May 12, 2021. (*Appendix G*)
5. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)
6. California Department of Fish and Wildlife. BIOS Habitat Connectivity Viewer. Accessed October 7, 2021.
7. California Department of Fish and Wildlife. Natural Community Conservation Plan Summaries map. Accessed October 7, 2021.

Discussion of Impacts

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less than Significant Impact with Mitigation Incorporated: The Project site is currently vacant land (*see Figure 1-2, Aerial Imagery*) that shows evidence of routine disturbance (i.e. disking). CASC Engineering and Consulting conducted a burrowing owl focused literature review and field survey in April 2021. No special status plant or animal species were observed within the Project site or within the 500-foot buffer surrounding the site during the field survey.

Vegetation:

The Project site, and directly adjacent land uses, are characterized by predominantly weedy non-native annual herbaceous species intermixed with a low density of common, weedy native species. Native species observed throughout the site and buffer include annual burweed (*Ambrosia acantycarpa*), western ragweed (*Ambrosia psilostachya*), California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), common horseweed (*Conyza canadensis*), western sunflower (*Helianthus annuus*), telegraph weed (*Heterotheca grandifolia*), small wreath plant (*Stphanomeria exigua*), spiny cocklebur (*Xanthium spinosum*), tarweed fiddleneck (*Amsinckia lycopsoides*), California croton (*Croton californicus*), doveweed (*Croton setigerus*), palo verde (*Parkinsonia aculeata*), California buckwheat (*Eriogonum fasciculatum*), curly dock (*Rumex crispus*), and stinging nettle (*Urtica dioica*). Non-native species observed include tocolote (*Centaurea melitensis*), rush skeletonweed (*Chondrilla juncea*), brass buttons (*Cotula coronopifolia*), bristly ox-tongue (*Picris echioides*), perennial sow-thistle (*Sonchus arvensis*), black mustard (*Brassica nigra*), shortpod mustard (*Hirshfeldia incana*), Russian thistle (*Salsola tragus*), spotted rattlesnake spurge (*Chamaesyce maculate*), burclover (*Medicago polymorpha*), yellow sweet-clover (*Melilotus indica*), red-stemmed filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), tree tobacco (*Nicotiana glauca*), soft chess (*Bromus hordeaceus*), and foxtail chess (*Bromus madritensis*). No special status vegetation communities were observed within the Project site during the April 2021 field visit. The disturbed nature of the site would have limited potential for any special status species to occur (*see Appendix B*).

Wildlife:

Species of wildlife are afforded “special status” by federal agencies, state agencies, and/or non-governmental organizations due to their recognized rarity, potential vulnerability to extinction, or local importance. These species typically have a limited geographic range and/or limited habitat and are referred to collectively as “special status” species. Special status wildlife species with the potential to occur within the Project site and surrounding area include the Stephens’ Kangaroo Rat and burrowing owl. However, the Project site is not located within a Stephens’ Kangaroo Rat Core Reserve Area.

A total of 25 wildlife species or signs thereof were observed during the April 2021 site visit. The species observed include Funeral dusky wing (*Erynnis funeralis*), western fence lizard (*Sceloporus occidentalis*), red-tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverius*), killdeer (*Charadrius vociferous*), mourning dove (*Zenaidura macroura*), Anna’s hummingbird (*Calypte anna*), Western kingbird (*Tyrannus verticalis*), black phoebe (*Sayornis nigricans*), Say’s phoebe (*Sayornis saya*), barn swallow (*Hirundo rustica*), American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), Northern mockingbird (*Mimus polyglottos*), European starling (*Sturnis vulgaris*), California towhee (*Pipilo crissalis*), house sparrow (*Passer domesticus*), horned lark (*Eremophila alpestris*), Western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), black-tailed jackrabbit (*Lepus californicus*), Audubon cottontail (*Sylvilagus audubonii*), California ground squirrel (*Spermophilus beecheyi*), and coyote (*Canis latrans*).

The Project site does not contain any plant species that have been given federal, state, or local designation as sensitive or special status species. However, the Project site has been identified by the Western Riverside County Multiple Species Conservation Plan Area (MSHCP), as part of the Additional Needs Survey Area for Burrowing Owls and is therefore subject to habitat assessment and focused burrowing owl (BUOW) surveys, if suitable habitat is present. Although BUOWs have no federal protection, BUOW is designated by California Department of Fish and Wildlife (CDFW) as a species of special concern. The MSHCP is intended to serve as a Habitat Conservation Plan pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act, as well as a Natural Communities Conservation Plan (NCCP).

An initial site assessment for BUOW was conducted on April 23, 2021, and three (3) focused surveys were conducted between April 23, 2021 and June 1, 2021. While suitable BUOW habitat was present on the Project site, no burrowing owl or indications of their presence were observed during the habitat assessment or the focused surveys. Additionally, past agricultural activities have resulted in substantial loss of native habitat within the Project boundary. The Project site is devoid of most vegetation due to seasonal disking of the site. Due to the lack of native vegetation on-site, the Project would not have a substantial adverse effect on sensitive or special status plant species. Although BUOW were not found within the Project site, the habitat assessment identified areas within the Project site and the surrounding areas that are suitable for BUOW habitat. Therefore, Mitigation Measure **BIO-1** would reduce potential impacts to less than significant.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Less than Significant Impact: The Project site does not contain any habitat areas, sensitive natural communities, wetlands, or migratory wildlife corridors. Section 6.1.2 of the MSHCP states that “riparian/riverine resources are lands which contain habitat dominated by trees, shrubs, persistent emergent [wetland plant species], or emergent mosses and lichens, which occur close to, or which depend upon moisture from a nearby freshwater source; or areas with freshwater after flow during all or a portion of the year.” There is no evidence of riparian/riverine resources subject to the MSHCP on the Project site.

The nearest body of water is Lake Perris, approximately 2.75 miles east of the Project site. Considering the distance, the proposed Project is not anticipated to have adverse effects on any nearby bodies of water. Additionally, no impact is anticipated to cause a substantial adverse effect on riparian habitat or other sensitive natural communities as none exist within the Project site or the surrounding area. Thus, a less than significant impact would occur.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact: The Project site does not contain state or federally protected wetlands such as marches, vernal pools, streams, or rivers. However, the Perris Valley Storm Drain runs along the Project’s southern boundary. The Project proposes an underground catch basin and sump and pump to pump water to the east and reduce post-development water flow. Proposed drainage patterns will mimic the existing condition by sheet flowing from the northwest corner of the site to the southeast corner to the proposed catch basin (*see Appendix G*). Therefore, the project will have a less than significant impact on state or federally protected wetlands and a jurisdictional delineation would not be required.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact: Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages, but wildlife corridors provide specific opportunities for animals to disperse or migrate between areas. The Project site is surrounded by March Air Reserve Base to the northwest and vacant land and warehouses to the north, east, and south. Due to the industrial nature of the surrounding area, the Project site does not act as a wildlife corridor and Project implementation would not substantially interfere with native resident or migratory species, wildlife corridors, or native wildlife nursery sites. Thus, a less than significant impact would occur.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact: The Stephens' Kangaroo Rat and burrowing owl are protected species under the Western Riverside County Multiple Species Conservation Plan Area (MSHCP) and occur within the City of Moreno Valley. The Project site is not located within a Stephens' Kangaroo Rat Core Reserve Area. Additionally, the Project site is not located within an MSHCP criteria cell; however, the site does fall within the Additional Needs Survey Area for Burrowing Owls and is subject to habitat assessment and focused burrowing owl surveys if suitable habitat is present (*see Appendix B*). The Burrowing Owl site assessment conducted for the Project site is discussed in Section III (a) of this Initial Study.

The City of Moreno Valley Municipal Code contains provisions for the protection of the Stephens' Kangaroo Rat (refer to Municipal Code Section 8.8.60), as well as provisions for the collection of mitigation fees to further the implementation of the Western Riverside County MSHCP (refer to Municipal Code Section 3.3.48). The proposed Project is not subject to focused survey requirements for the Stephens' Kangaroo Rat due to the location of the Project site. However, the Applicant is required to contribute a local development impact and mitigation fee to assist the City in implementing the habitat conservation plan for the Stephens' Kangaroo Rat. Additionally, the Applicant is required to contribute a local development impact and mitigation fee to assist the City in implementing the Western Riverside County MSHCP reserve system (including the acquisition, management, and long-term maintenance of sensitive habitat areas). Therefore, the project would not conflict with local policies and ordinances. Due to the City's standard regulatory requirements, impacts would be less than significant.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant Impact: The Project site is not located within Stephens' Kangaroo Rate Core Reserve Area, nor is it located within any criteria cells for special status species under the MSHCP. Although the Project site is located within the Additional Needs Survey Area for Burrowing Owls, the site does not contain any burrowing owls. The Project site is not located within any other planning areas of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan. The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, a less than significant impact would occur.

Mitigation Measures

Mitigation:

(IV.)

(a)

BIO-1: **Burrowing Owls**

A 30-day preconstruction Burrowing Owl Survey shall be performed by a qualified biologist recognized by the County of Riverside. The Applicant must provide

documentation to the City confirming the “qualified” status of the biologist. The Burrowing Owl Survey results must be provided to the City prior to the issuance of a grading permit. After the survey, a technical memorandum of findings shall be prepared and sent to the California Department of Fish and Wildlife (CDFW), Environmental Programs Department (EPD) at the County of Riverside, and the Regional Conservation Authority.

If the Project site is found positive for burrowing owl, coordination with CDFW will be mandatory and additional exclusionary and relocation efforts will be necessary.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources – Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10- Open Space and Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.5 – Cultural and Tribal Resources
 - Table 4.5-1 List of Historic Resources and their Eligibility Status
 - Figure 4.5-1 Historic Resources
 - Figure 4.5-2 Archaeological Sensitive Areas
3. Cultural Resources Survey Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 25, 2021. *(see Appendix C)*
4. Paleontological Resources Assessment Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 27, 2021. *(see Appendix D)*
5. Heacock Parking EDR report #6691976.11, Environmental Data Resources, Inc., October 6, 2021.
6. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
7. Moreno Valley Municipal Code Title 7 – Cultural Preservation

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Discussion of Impacts

- a) Cause a substantial adverse change in the significance of a historical resource pursuant in §15064.5 of the CEQA Guidelines?

No Impact: A Cultural Resources Survey Report and a Paleontological Resources Assessment Report was prepared by CRM Tech on September 25 and September 27, 2021, respectively. On August 11, 2021, a historical/archaeological resources records search service for the Project area was provided by the Eastern Information Center (EIC). The records search included review of all recorded cultural resources within a half-mile radius of the Project area, as well as review of known cultural resource reports. The results of the records search from the EIC indicated that no cultural resources are recorded within the Project area; however, one historic-period site has been recorded outside but adjacent to the southern project boundary. Site 33-024867 represents a 290-foot-long segment of Lateral B-Oleander Channel, which has been determined not to be eligible for the National Register of Historic Places or the California Register of Historical Resources.

On August 16, 2021, CRM Tech archaeologist conducted an intensive pedestrian field survey of the Project area with the assistance of a tribal monitor from the Soboba Band of Luiseño Indians. The field survey produced completely negative results for potential cultural resources, and no buildings, structures, objects, sties, features, or artifact deposits of prehistoric or historical origin were encountered. Ultimately, the research and survey results from the Cultural Resources Assessment indicated that the proposed Project will not cause a substantial adverse change to any known historical resources and no further cultural resources investigation is necessary for the Project (*see Appendix C*).

The Project site is currently vacant and there are no known historically or culturally significant resources, structures, buildings, or objects located within in the Project area. The Project site does not contain any previously recorded cultural and/or paleontological resources. In addition, the integrity of the property has been significantly disturbed due to discing. Thus, the Project site would not cause an adverse change in the significance of a historical resource and impacts to historic resources are not anticipated; therefore, no impact would occur.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?

Less than Significant Impact with Mitigation Incorporated: As concluded in the Cultural and Paleontological Assessments, the Project area does not contain previously recorded cultural and/or paleontological resources. No paleontological resources were observed during the field survey. In addition, the integrity of the property has been badly altered from the many years of disking. However, the potential to discover buried archaeological deposits remains. Within a one-half mile radius of the Project, at least 14 other studies on various tracts of land and linear features were completed, which resulted in the recordation of five (5) additional historical/archaeological sites (*see Appendix C*). Additionally, the Paleontological Assessment concluded that the soil within the Project site is comprised of Pleistocene- age alluvium, which generally has a high potential to contain significant, nonrenewable fossil remains. Therefore, there is a potential that

paleontological or archaeological resources/deposits could be uncovered during digging or earthwork. Thus, Mitigation Measures **CR-1** through **CR-5** and **CR-8** are identified to require archaeological monitoring during any earth-moving activities to evaluate and salvage discoveries, if any, that occur. With incorporation of mitigation, impacts would be less than significant.

- c) Disturb any human remains, including those outside of formal cemeteries?

Less than Significant Impact with Mitigation Incorporated: Due to the heavy disturbance (discing) of the Project site, no human remains, or cemeteries are anticipated to be disturbed by the proposed Project. Furthermore, an Environmental Data Resources (EDR) report produced aerial imagery dating back to 1938. Review of these aerial photos did not identify possible cemeteries in the area, and therefore, the likelihood of encountering human remains during Project development is minimal. However, these findings do not preclude the existence of previously unknown human remains located below the ground surface, which may be encountered during construction excavations associated with the proposed Project. As a result, Mitigation Measures **CR-6** and **CR-7** have been identified to reduce potentially significant impacts to previously unknown human remains that may be unexpectedly discovered during project implementation to a less than significant level. Consistent with State law, if at any time during grading human remains are found, the Project is to be conditioned to halt work and contact the Riverside County Coroner's Office. Based on compliance with existing regulations and the implementation of Mitigation Measures **CR-6** and **CR-7**, the Project's potential to disturb human remains is considered less than significant with mitigation.

Mitigation Measures

Mitigation:

V.

(b)

CR-1: Archeological Monitoring

Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.

(b)

CR-2: Native American Monitoring

Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseno Indians and Soboba Band of Luiseno Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.

(b)

CR-3: Cultural Resource Monitoring Plan (CRMP)

The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project description and location
- b. Project grading and development scheduling;
- c. Roles and responsibilities of individuals on the Project;
- d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
- e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
- f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.
- g. Contact information of relevant individuals for the Project;

(b)

CR-4: Cultural Resource Disposition

In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.

- ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."

(b)

CR-5: Inadvertent Finds

If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.

(c)

CR-6: Human Remains

If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations

concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

(c)

CR-7: Non-Disclosure of Reburial Locations

It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

(b)

CR-8: Archeology Report - Phase III and IV

Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy – Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 Parks and Public Services

- Chapter 10- Open Space and Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.6 - Energy
 3. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
 4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

Discussion of Impacts

- a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact: The proposed Project would impact energy resources during construction and operation. The construction activities for the Project would include grading of the Project site, paving, and striping. The Project would consume energy resources during construction in three (3) general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project site, construction worker travel to and from the Project site, as well as delivery and haul truck trips (e.g. hauling of demolition material to off-site reuse and disposal facilities);
2. Electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power; and,
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber.

All construction equipment is subject to the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to 5 minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment, and phases out Tier 1 and 2 equipment (thereby replacing fleets with cleaner equipment), and requires that fleets comply with Best Available Control Technology requirements, which would increase construction equipment fuel efficiency. These limitations on idling of vehicles and equipment, and the requirements that equipment must be properly maintained (CCR Title 13, Sections 2449(d)(3) and 2485), would result in fuel savings. Due to the temporary nature of construction, the Project would not result in wasteful, inefficient, and unnecessary consumption of energy. Further, there are no policies at the local level applicable to energy conservation specific to the construction phase. The proposed Project does not include construction of buildings or land uses associated with significant energy use during operation.

Moreno Valley Electric Utility (MVU) and Southern California Gas Company (SoCalGas) would provide electricity and natural gas for the Project. The on-going operation of the proposed parking lot would require the use of electricity for lighting purposes. Project operation may result in increased consumption of petroleum-based fuels related to vehicular travel to and from the Project site. However, operation of the proposed Project

would not result in wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?

Less than Significant Impact: The applicable state plans that address renewable energy and energy efficiency are CALGreen, the California Energy Code, and RPS. Under the California Renewables Portfolio Standard, the State of California is transitioning to renewable energy through the California’s Renewable Energy Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. Electricity production from renewable sources is generally considered carbon neutral. Executive Order S-1408, signed in November 2008, expanded the state’s renewable portfolios standard (RPS) to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. Senate Bill 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures. On September 10, 2018, Governor Brown signed SB 100, which supersedes the SB 350 requirements. Under SB 100, the RPS for public owned facilities and retail sellers consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. Additionally, SB 100 also established a new RPS requirement of 50 percent by 2026. The bill also established a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under SB 100 the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers such as MVU, which is the utility that would provide all of electricity needs for the Project. Compliance of MVU in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. Additionally, the Project would be conditioned to comply with the Building Energy Efficiency Standards (Title 24) and CALGreen. Therefore, implementation of the proposed Project would not conflict or obstruct plans for renewable energy and energy efficiency and a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils– Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 6 – Safety
 - Map S-1: Fault Zones
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.7 – Geology/Soils
3. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
4. Paleontological Resources Assessment Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 27, 2021. (*Appendix D*)
5. Geotechnical Investigation and Percolation Test Results for Heacock Logistic Parking Project, Geocon West Inc., March 18, 2021. (*Appendix E*)
6. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- Chapter 8.21 – Grading Regulations
7. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 4 – Earthquake
 - Figure 4-1 – Right-Lateral Strike -Slip Fault
 - Figure 4-1.1 – Moreno Valley Geologic Faults and Liquefaction 2016
 - Figure 4-1.2 – Moreno Valley Area Ground Shaking Map
 - Chapter 8 – Landslide
 - Figure 8-1 – Moreno Valley Slope Analysis 2016
 8. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Threat Assessment 1 – Major Earthquakes
 - Figure 9 – Types of Faults
 - Figure 10 – Earthquake Faults
 - Figure 11 – Comparison of Richter Magnitude and Modified Mercalli Intensity
 - Figure 12 – Magnitude 4.5 or Greater Earthquake Map
 - Figure 13 – Geologic Faults and Liquefaction

Discussion of Impacts

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.

Less than Significant Impact: The San Jacinto Fault Zone traverses the northeastern boundary of the City. One of the most seismically active structures in southern California, the San Jacinto fault zone has produced 10 historical earthquakes with a magnitude greater than 6 and has been categorized as an Alquist-Priolo Earthquake Fault Zone by the State of California. Alquist-Priolo Zones identify surface traces of known active faults that pose seismic hazards and buffers around the known traces.

The Alquist-Priolo Earthquake Fault Zoning Act (Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the State Geologist to establish regulatory zones, known as "Alquist-Priolo (AP) Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet).

According to Map S-1: Fault Zones of the City's General Plan Safety Element, there are no fault zones in the proximity of the Project site (City of Moreno Valley, 2021).

The nearest fault is the San Jacinto Fault which is located over 8 miles northeast of the Project site. Because there are no known faults located on the Project site, there is low potential for the proposed Project to expose people or structures to adverse effects related to ground rupture. Thus, a less than significant impact would occur.

ii. Strong seismic ground shaking?

Less than Significant Impact: The Project site is located within a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the proposed Project. Several factors control how ground motion interacts with structures, making the hazard of ground shaking difficult to predict. Seismic waves propagating through the Earth's crust are responsible for the ground vibrations normally felt during an earthquake. Structures within the City could be affected by ground shaking during a seismic event associated with the San Jacinto Fault Zone. Additionally, seismic events associated with the active San Andreas Fault located approximately 15 miles northeast and the active Elsinore Fault located approximately 17 miles southwest could also generate ground shaking within the City.

The ground shaking risk of the Project is not considered substantially different than that of other similar properties in the southern California area. As a mandatory condition of Project approval, the City of Moreno Valley will require that any proposed structures be constructed in accordance with the California Green Building Standards Code (CALGreen), also known as California Code of Regulations (CCR), Title 24 and the City Building Code. CALGreen and City Building Code are designed to preclude significant adverse effects associated with strong seismic ground shaking. The future workers on the Project site have the potential to be exposed to strong seismic ground shaking associated with seismic events. Adherence to the recommendations outlined in the City's General Plan and Municipal Code, as well as conditions of approval and the California Building Code (CBC) Guidelines that are currently adopted by the City, would ensure potential impacts related to strong seismic shaking are less than significant.

iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact: Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subject to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: shallow groundwater; low-density non-cohesive (granular) soils; and high-intensity ground motion. Liquefaction is typified by a buildup of pore-water pressure in the affected soil layer to a point where a total loss of shear strength occurs, causing the soil to behave as a liquid. According to Map S-2: Liquefaction Hazards of the City's General Plan Safety Element, the Project site is identified as having a "low" liquefaction susceptibility. Conformance with the CBC's guidelines currently adopted by the City would ensure impacts associated with liquefaction are less than significant.

iv. Landslides?

No impact: Landslides occur when masses of rock, earth, or debris move down a slope, including rock falls, deep failure of slopes, and shallow debris flows. Landslides are influenced by human activities such as grading and other construction activities, irrigation of slopes, mining activity, and by natural factors such as precipitation, geology/soil types, surface/subsurface flow of water, and topography. Frequently, they may be triggered by other hazards such as floods and earthquakes. The Project site is relatively flat and contains no hillside or steep slopes on or in the vicinity (Google Earth Pro, 2020). Accordingly, the Project site is located within an area with a low potential for landslides. Additionally, grading in support of the Project is not anticipated to result in the creation of any new substantial slopes on-site that could be subject to landslide. Grading of the site would not pose a landslide threat to adjacent properties, future site workers, or the proposed buildings. Accordingly, the proposed Project would not create and would not be exposed to any risk of a landslide. No impact would occur.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact: Construction activities associated with the Project would involve earth movement and the exposure of soil, which would temporarily increase erosion susceptibility. In the long-term, development of the subject property would increase impervious surface cover and permanent landscaping on the Project site, thereby reducing the potential for erosion and loss of topsoil that currently occurs. The Project would be required to adhere to standard regulatory requirements, including, but not limited to, requirements imposed by the City of Moreno Valley's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and a Project-specific Water Quality Management Plan (WQMP) that includes Best Management Practices (BMPs) to minimize water pollutants including sedimentation in stormwater runoff. The Proposed Project involves construction of a parking lot in an essentially level area of the City. The Project does not propose to significantly alter existing topography. Based on the preceding, potential impacts associated with erosion or changes in topography, including loss of topsoil are considered less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant Impact: Refer to the discussion of Section VI ((a)(iii)) and (iv) for a discussion of hazards associated with liquefaction and landslide hazards. As noted, landslide hazards are not anticipated to affect or result from the Project, and the site is in an area of "low potential" for exposing future development on-site to liquefaction-related hazards. (City of Moreno Valley, 2021). The Project site's potential for lateral spreading or collapse is low, given that the recommendations in the Geotechnical Investigation and Percolation Test Results are followed, (see *Appendix E*). The upper portion of the alluvium is not considered suitable for development and will need to be removed to expose competent material. The existing soils within approximately three (3) feet below subgrade elevation are expected to require remedial excavation and proper compaction. However, the actual depth of removal should be evaluated by the engineering geologist during

grading operations. The Project site should then be brought to final subgrade elevations with fill compacted in layers. Additionally, the Project Site may contain some granular material, which has little to no cohesion and is subject to caving in un-shored excavations and will need to follow proper OSHA guidelines for shoring to prevent any cave-ins (see *Appendix E*). Further, the Project will be required to comply with all applicable provisions of the Uniform Building Code (UBC) and California Building Code (CBC) that would act to minimize any unstable soils, and any unstable geologic units that may be encountered. On this basis, the potential for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse is less than significant.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less than Significant Impact: Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. Without proper mitigation measures, heaving and cracking of both building foundations and slabs-on-grade could result. The subsurface soils beneath the site consist of alluvium (Qa); which is comprised of silty sand, sandy silt, and well-graded sand. The recommended grading specifications state, "where practical, soils having an Expansion Index greater than 50 should be placed at least 3 feet below finish pad grade and should be compacted at a moisture content generally 2 to 4 percent greater than the optimum moisture content for the material" (see *Appendix E*). Furthermore, the proposed Project does not consist of building any structures or buildings which would create substantial direct or indirect risks to life or property. Therefore, a less than significant impact would occur.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact: The Project would not install any septic tanks or alternative waste water disposal systems. No impact would occur.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation Incorporated: On July 26, 2021, CRM Tech principal paleontologist conducted an intensive level field survey. Throughout the course of the field survey, no surface manifestation of any paleontological remains was observed within the Project area. It was noted during the survey that the ground surface in the entire Project area has been extensively disturbed by disking. Additionally, Western Science Center (WSC) provided paleontological records to CRM Tech that identified no known paleontological localities within the Project area but yielded numerous localities that were discovered in similar types of soil in the surrounding region. The WSC describes the soils within the Project area as Quaternary alluvium of Holocene and Pleistocene origin, which are well documented to be of high paleontological sensitivity.

Pleistocene-age alluvium generally has high potential to contain significant, nonrenewable fossil remains.

Ultimately, the research and survey results from the Paleontological Assessment found the proposed Project’s potential to impact significant, nonrenewable paleontological resources to be high, based on the Pleistocene-age alluvium within the project site and surrounding vicinity. Based on these findings, CRM Tech recommends that a paleontological resource impact mitigation program be developed and implemented during the Project to prevent such impacts or reduce them to a level less than significant (see Appendix D).

The Project area does not contain any previously recorded paleontological resources, and no paleontological resources were observed during the field survey conducted on July 26, 2021. In addition, the integrity of the property has been altered from the many years of disturbance (disking). However, the soil within the Project site is comprised of Pleistocene-age alluvium, which generally has a high potential to contain significant nonrenewable fossil remains. Therefore, there is a potential that paleontological resources could be uncovered during digging or earthwork at the Project site. Mitigation Measures CR-1 through CR-5 and CR-8 are identified to require archaeological monitoring during any earth-moving activities to evaluate and salvage discoveries, if any, that occur. Ultimately, the likelihood of directly or indirectly destroying a unique paleontological resource or site or unique geologic feature is extremely low due to the lack of presence of paleontological resources. However, there is still a potential to uncover paleontological resources during excavation of the Project site. By adhering to Mitigation Measures CR-1 through CR-5 and CR-8, the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Greenhouse Gas Emissions – Would the project:				
a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 4 – Circulation

- Chapter 8 – Environmental Justice
- 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.8 – Greenhouse Gas Emissions
- 3. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
- 4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
- 5. California’s 2017 Climate Change Scoping Plan, prepared by the California Air Resources Board, November 2017, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, accessed April 24, 2019
- 6. Heacock Logistics Trailer Parking Lot Project Air Quality and Global Climate Change Impact Analysis, Ganddini, October 12, 2021. (Appendix A)

Discussion of Impacts

- a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact:

As shown in Table 8-1 Project-Related Greenhouse Gas Emissions, the Project would generate 2,761.64 MTCO₂e per year (see Appendix A). According to the threshold of significance, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations of the proposed Project would exceed the SCAQMD industrial threshold of 10,000 MTCO₂e per year. Therefore, since the Project will not exceed the threshold of significance, the Project does not have the potential to result in a cumulatively considerable impact with respect to GHG emissions and a less than significant impact will occur.

Table 8-1 Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO ₂	NonBio-CO ₂	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area Sources ²	0.00	0.01	0.01	0.00	0.00	0.01
Energy Usage ²	0.00	25.78	25.78	0.00	0.00	25.90
Mobile Sources ³	0.00	2,625.73	2,625.73	0.03	0.36	2,733.92
Waste ⁴	0.00	0.00	0.00	0.00	0.00	0.00
Water ⁵	0.00	0.00	0.00	0.00	0.00	0.00
Construction ⁶	0.00	1.81	1.81	0.00	0.00	1.82
Total Emissions	0.00	2,653.32	2,653.32	0.03	0.36	2,761.64
SCAQMD Draft Screening Threshold for industrial uses						10,000
Exceeds Threshold?						No

Notes:

Source: CalEEMod Version 2020.4.0 for Opening Year 2022.

- (1) Area sources consist of GHG emissions from landscape equipment.
- (2) Energy usage consist of GHG emissions from electricity and natural gas usage.
- (3) Mobile sources consist of GHG emissions from vehicles.
- (4) Solid waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.
- (5) Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
- (6) Construction GHG emissions CO₂e based on a 30 year amortization rate.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact: The Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. Applicable plans adopted for the purpose of reducing GHG emissions include the City of Moreno Valley Energy Efficiency and Climate Action Strategy, City of Moreno Valley CAP, and California Air Resources Board (CARB) Scoping Plan.

Additionally, the Project would be required to comply with regulations imposed by the State of California and the South Coast Air Quality Management District (SCAQMD) aimed at the reduction of air pollutant emissions. The regulations that are directly and indirectly applicable to the Project and that would assist in the reduction of GHG emissions include:

- Global Warming Solutions Act of 2006 (Assembly Bill (AB) 32)
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (Senate Bill (SB) 375)
- Pavley Fuel Efficiency Standards (AB 1493). Establishes fuel efficiency ratings for new vehicles.
- California Building Code (Title 24 California Code of Regulations (CCR)). Establishes energy efficiency requirements for new construction.
- Low Carbon Fuel Standard (LCFS). Requires carbon content of fuel sold in California to be 10 percent (%) less by 2020.
- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions
- Renewable Portfolio Standards (SB 1078 – also referred to as RPS). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20 % by 2010 and 33% by 2020.
- California Global Warming Solutions Act of 2006 (SB 32). Requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15.

CARB Scoping Plan:

CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is to return to 1990 emission levels by year 2030 (CARB 2017). The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target to achieve a 40 percent reduction below 1990 levels by 2030, established by SB 32 (CARB 2017). Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy (CAFE) standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions

reduction goals of AB 32. While measures in the Scoping Plan apply to state agencies and not the proposed Project, the Project’s GHG emissions would be reduced from compliance with statewide measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, the proposed Project would not obstruct implementation of the CARB Scoping Plan and impacts would be less than significant.

The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Given this consistency, the Project’s incremental contribution to greenhouse gas emissions and their effects on climate change would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, Public Review Draft, April 2, 2021
 - Chapter 6 – Safety
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.9 – Hazards and Hazardous Materials
3. Heacock Parking EDR report #6691976.2s, Environmental Data Resources, Inc., October 6, 2021 (*Appendix F*)
4. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
5. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
6. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (<http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>)
7. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 5 – Wildland and Urban Fires
 - Figure 5-2 – Moreno Valley High Fire Area Map 2016
 - Chapter 12 – Dam Failure/Inundation
 - Figure 12-2 Moreno Valley Evacuation Routes Map 2015
 - Chapter 13 – Pipeline
 - Figure 13-1 – Moreno Valley Pipeline Map 2016
 - Chapter 14 – Transportation
 - Figure 14-1.1 – Moreno Valley Air Crash Hazard Area Map 2016
 - Chapter 16 – Hazardous Materials Accident
 - Moreno Valley Hazardous Materials Site Locations Map 2016
8. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Hazard Mitigation and Hazard Analysis
 - Threat Assessment 2 – Hazardous Materials
 - Threat Assessment 3 – Wildfire
 - Threat Assessment 6 – Transportation Emergencies
 - Figure 17 – Air Crash Hazards

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Discussion of Impacts

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact: The Riverside County Department of Environmental Health Hazardous Materials Branch serves as the Certified Unified Public Agency (CUPA) and is responsible for overseeing the six hazardous materials programs in the County. The Branch is responsible for inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate underground storage tanks, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program. Hazardous materials are used in Moreno Valley for a variety of purposes including manufacturing, service industries, various small businesses, agriculture, medical uses, schools, and households. Hazardous materials are also used at the March Air Reserve Base (MARB) adjacent to the City and may be transported to and from the base on City roadways.

Within the vicinity of the Project site is vacant land, light industrial uses, and the March Air Reserve Base (see Figure 1-2, Aerial Imagery). Construction of the proposed Project would require the use and transport of hazardous materials such as asphalt, paints, oil, diesel, fuel, gasoline, and building materials. The use, transport, storage, and disposal of hazardous materials using these substances must comply with existing regulations established by several agencies, including the Department of Toxic Substances Control (DTSC), the Environmental Protection Agency (EPA), the US Department of Transportation (USDOT), the Occupational Safety & Health Administration (OSHA), and the Riverside County Department of Environmental Health Hazardous Materials. Construction would also be required to adhere to any local standards set forth by the City, as well as state and federal health and safety requirements that are intended to minimize hazardous materials risks to the public, such as the Hazardous Waste Control Act, the California Accidental Release Prevention program, and the California Health and Safety Code. Compliance with federal safety standards and the authorities of the Riverside County Department of Environmental Health Hazardous Materials Branch would reduce potential impacts to a less than significant level. Operation of the proposed parking lot is not anticipated to store or transport hazardous materials. Therefore, a less than significant impact would occur.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact: As mentioned above in Section IX(a), any handling, storing, or dispensing activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Both short-term construction and long-term operation of the proposed Project would comply with all applicable federal, state, and local agencies and regulations with the policies and programs established by agencies such as the EPA, USDOT, Department of Toxic Substances Control, Cal/OSHA, Resource Conservation and Recovery Act

(RCRA), and the Riverside County Department of Environmental Health Hazardous Materials Branch. Adherence to the applicable policies and programs of these agencies would ensure that any transport or interaction with hazardous materials would occur in the safest possible manner, reducing the opportunity for the accidental release of hazardous materials into the environment. Any handling of hazardous materials would be limited in both quantities and concentrations. Furthermore, the Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan. Zone A prohibits all storage of hazardous materials and all hazards to flight. The proposed Project would adhere to the applicable policies and programs of the agencies listed above, as well as, to the outlines set forth by the March Air Reserve Base Airport Land Use Compatibility Plan for Zone A. Therefore, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, a less than significant impact would occur.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact: The nearest school to the Project site is Val Verde Academy and High School, located approximately 1.4 miles southwest of the Project site. As previously mentioned, handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Given that there are no schools within one-quarter mile of the proposed Project, no impact would occur.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less than Significant Impact: Government Code Section 65962.5 describes that before an application for a development project is completed, the Applicant and/or Lead Agency shall indicate whether the site is included on any of the lists compiled pursuant to that section and identify which list(s). According to the Cortese List, the Project site is not included on a list of hazardous materials sites. Additionally, the nearest hazardous materials site is approximately one (1) mile away. However, an EDR report dated October 21, 2021 (*see Appendix F*) identified soil and groundwater contamination of March Air Force Base (AFB), which is located upgradient of the Project site. Water wells within March AFB have been determined to be contaminated with trichloroethylene, tetrachloroethylene, and cis-1,2-dichloroethylene, at levels that exceed State drinking water standards.

The contamination identified in the EDR report pertains to contaminated groundwater located approximately .5 miles to the northwest on the MARB. The Project proposes to construct a parking lot that will require a maximum excavation of two (2) feet below surface level for the parking lot and a maximum excavation of up to six (6) feet below surface level for the underground catch basin. Groundwater in the immediate area is typically located approximately twenty-five (25) feet below surface level. Thus, if groundwater contamination exists within the Project boundaries, the proposed Project

would not uncover contamination and a significant hazard will not be created. Additionally, groundwater contamination is typically addressed when within 0.1 miles of the subject area. As the Project site is located approximately 0.5 miles southeast of the recorded groundwater contamination, the results of the EDR report do not impact the proposed Project. In addition, the site is designated as Clear Zone within SP 208 which restricts permitted land uses to only open space, agriculture, automobile parking, and roads which would not require significant grading below the surface. Therefore, Project implementation would not create a significant hazard to the public or the environment, a less than significant impact would occur.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less than Significant Impact: The Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan. Zone A prohibits non-aeronautical structures, assemblages of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. Due to the Project site's proximity to MARB and the site's location within Zone A, the Project is subject to very high noise impacts, which can be expected to have a 70-75 dB activity level. However, the Project site is within Specific Plan 208 CZ which identifies agriculture, automobile parking and open space as compatible land uses. In addition, there are no structures, assemblage of people, objects exceeding FAA height limits, nor storage of hazardous materials proposed on the Project site. Therefore, Project implementation would cause a less than significant impact.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact: The City adopted its Local Hazard Mitigation Program (LHMP) on October 4, 2011 (revised 2017). The LHMP contains a map of emergency evacuation routes in the community that includes I-215, SR-60 and major roadways through the City. The circulation and access for the Project site will conform with applicable standards associated with the LHMP. Therefore, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, effects would be less than significant.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than Significant Impact: Impacts associated with wildland fires are also addressed in Section XX, *Wildfire*, of this Initial Study. The potential for wildland fires represents a hazard, particularly within areas adjacent to open space or within close proximity to wildland fuels. The Project site is not located on a CAL FIRE threat designation or fire hazard severity zone. The nearest severity zones are a Very High and a Moderate Fire Hazard Severity Zone located over 2.25 miles east of the Project site. Compliance with

the Moreno Valley Fire Department's regulations and policies would ensure that the Project would not expose people or structure to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.

- Chapter 6 – Safety
 - Map S-4: Flood Hazard Areas
 - Chapter 10 – Open Space & resource Conservation
2. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.080 – Liquid and Solid Waste
 4. Preliminary Drainage Analysis for Proposed Heacock Logistics Parking Lot, CASC Engineering and Consulting, May 12, 2021. (*Appendix G*)
 5. Water Quality Maintenance Plan (WQMP), CASC Engineering and Consulting, prepared May 28, 2021, amended April 18, 2022. (*Appendix H*)
 6. Moreno Valley Municipal Code Chapter 8.12 – Flood Damage Prevention
 7. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations
 8. Eastern Municipal Water District (EMWD) Groundwater Reliability Plus, <http://gwrplus.org/>
 9. Eastern Municipal Water District (EMWD) 2015 Urban Water Management Plan

Discussion of Impacts

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less than Significant Impact with Mitigation Incorporated: Surface water resources in and near Moreno Valley include Lake Perris, Mystic Lake, and several small reservoirs and creeks throughout the City (see *Figure 1-1, Regional Vicinity*). Lake Perris is located over 4 miles south of the Project site. Water resources in the city and throughout Riverside County are sustained by substantial groundwater basins, which are used as reservoirs to store water during wet years. These underground reservoirs are tapped throughout the year according to the demand for water. While groundwater no longer provides a significant percentage of the local water supply for Moreno Valley, it is still an important natural resource for the area that should be protected (City of Moreno Valley, 2021). California's groundwater is regulated under the 2014 Sustainable Groundwater Management Act (SGMA), which requires Groundwater Sustainability Plans to be adopted for medium or high-priority basins. Moreno Valley's groundwater falls within the West San Jacinto Groundwater Management Area, along with most of the groundwater in western Riverside County. The San Jacinto Groundwater Basin is deemed a high priority basin but is not currently critically over drafted. The City is governed by the Santa Ana Regional Water Board for implementation of the federal Clean Water Act in California.

Construction Effects:

The proposed Project would involve grading, paving, pavement striping, and construction of an underground storage tank for water quality purposes, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other pollutants with the potential to affect water quality. All new development projects equal to one acre or more are subject to Riverside County National Pollutant Discharge Elimination System (NPDES) Permit No. CAS 618033. The proposed Project would disturb approximately 9.14 acres of land and, therefore, will be subject to NPDES permit requirements during construction activities. Additionally, pursuant to Municipal Code

Section 8.21.170, the Project shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for the Project site prior to commencement of Project construction activities. The SWPPP provides temporary measures to control discharges of sediment and other pollutants and includes methods to minimize water quality impacts and stabilize disturbed surfaces throughout the Project site during construction. The City engineer shall identify the BMPs that may be implemented to prevent such deterioration and shall identify the manner of implementation pursuant to Municipal Code Section 8.10.050. Therefore, Mitigation Measure **HYD-1** is identified to require the Applicant to prepare and submit a SWPPP and implement the BMPs identified by the SWPPP during construction activities. With adherence to the Project-specific SWPPP, relevant plans and programs, as well as the Municipal Code requirements, construction activities for the proposed Project would not violate any water quality standards or degrade surface or ground water quality. Construction related impacts would be less than significant with mitigation incorporated.

Operation Effects:

Urban runoff is typically associated with impervious surfaces, such as rooftops, streets, and other paved areas, where various types of pollutants may build up and eventually be washed into the offsite waters. The Project would be developed and operated in compliance with all applicable City and Regional Water Quality Control Board (RWQCB) regulations and water quality standards. Urban pollutants entering and potentially polluting the local water system would not be expected to occur as a result of the proposed Project. Additionally, the Applicant has prepared and submitted a Water Quality Management Plan (WQMP) to ensure that the Project will not cause an increase in storm water runoff and will include water quality treatment prior to discharge from the site (*see Appendix H*). The WQMP includes BMPs and source control BMPs to protect downstream watercourses after construction. Therefore, Mitigation Measure **HYD-2** is identified to require the Applicant to adhere to the Project-specific WQMP. Operation-related impact with regard to violations of water quality standards or waste discharge requirement and substantial degradation of surface or ground water quality will be less than significant with mitigation incorporated.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than Significant Impact with Mitigation Incorporated: Development of the proposed Project would increase the amount of impervious surface onsite which could reduce the amount of water percolating down into the underground aquifer that underlies the Project site and a majority of the City. However, the impact of an incremental reduction in groundwater would not be significant as domestic water supplies are not reliant on groundwater as a primary source (City of Moreno Valley, 2021). The Project would not impinge on, nor would otherwise affect, designated recharge areas. Furthermore, adherence to the Project-specific SWPPP and prepared WQMP required by Mitigation Measure **HYD-1** and **HYD-2** would ensure that construction and operational impacts of the Project would not degrade groundwater quality or groundwater recharge. The prepared Project-specific WQMP includes storm water best management practices (BMPs) addressing post-construction activities. The WQMP includes the requirement for

low impact development (LID) BMPs to address water quality concerns. LID comprises a set of technologically feasible and cost-effective approaches to stormwater management and land development that combine a hydrologically functional site design with pollution prevention measures to compensate for land development impacts on hydrology and water quality. LID techniques mimic the site's predevelopment hydrology by using site design techniques that store, infiltrate, evapotranspire, bio-treat, bio-filter, bio-retain, or detain runoff close to its source. Therefore, implementation of the mitigation measures would ensure that the Project would not significantly contribute to groundwater depletion, nor discernibly interfere with groundwater recharge. Based on the preceding discussions, the Project's potential impacts to groundwater availability, quality, or recharge capabilities, are considered less than significant with mitigation incorporated.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?

Stormwater and wetlands in Moreno Valley generally drain from north to south into the San Jacinto River, Canyon Lake, and ultimately to Lake Elsinore via three major storm drain channels: the Sunnymead Storm drain, the Kitching Storm drain, and the Perris Valley Storm drain. Like many communities in the region, Moreno Valley has a history of flooding, primarily in areas that are not fully developed and where storm drain system is not yet built out. Storms can result in flooding of drainage channels and areas immediately adjacent floodplains, while sheet flows can occur if the capacities of defined watercourses are exceeded. The Riverside County Flood Control and Water Conservation District (RCFCWCD) is the agency responsible for the regional flood control system. RCFCWCD has prepared four Master Drainage Plans within the City (Perris Valley, Sunnymead, Moreno and Moreno Valley West End), each of which covers a different portion of the City. The Project site falls within the Perris Valley Master Drainage Plan area.

The Riverside County Flood Control District and Water Conservation District (RCFC&WCD) and the City jointly maintain the storm drain system. Existing regulations at the State and regional level have been established to regulate discharge prohibitions, effluent limitations, and discharge specifications, receiving water limitations, and other provisions (i.e., monitoring and reporting, watershed management programs, control measures, and total maximum daily loads). Further, the City and RCFC&WCD have established additional local regulations for storm water runoff. Any new development or significant redevelopment are required to follow the established Low Impact Development (LID) principles and guidelines in the design of their site. New developments must not increase stormwater runoff downstream, both in rate and volume; rather they must capture it on-site for attenuation and/or recharge to control the stormwater runoff downstream.

- i. result in substantial erosion or siltation on- or off-site;

Less than Significant Impact: The proposed Project would not alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site. The proposed drainage patterns will mimic the existing condition by sheet flowing from the northwest corner of the site to the

southeast corner to a proposed underground catch basin (*see Appendix G*), and a less than significant impact would occur.

- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less than Significant Impact: As indicated above, the proposed Project will mimic existing drainage patterns. Furthermore, the proposed underground catch basin and sump and pump will reduce post-development flows to be less than pre-development flows (*see Appendix G*). Therefore, Project implementation would have a less than significant impact on surface runoff both on- and offsite.

- iii. or, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact: As discussed above in sections (i) and (ii), the Project proposes a drainage system that will mimic the existing drainage conditions and lessen stormwater flows. The proposed grading and drainage designs are anticipated to protect the proposed on-site improvements from the 100-year storm event without causing adverse impacts to the downstream drainage conditions (*see Appendix G*). Therefore, Project impacts would be less than significant.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact: The Pacific Ocean is located over 40 miles southwest of the Project site; consequently, there is no potential for tsunamis to impact the Project. In addition, no steep hillsides subject to mudflow are located on or near the Project site. The nearest dam to the Project site is Lake Perris, located approximately 2.8 miles east of the Project site (Google Maps, 2021). According to City of Moreno Valley General Plan FEIR Figure 5.5-2, Floodplains and High Fire Hazard Areas, the Project site is not located in an identified dam inundation area. There is no levee located within the vicinity of the Project site. According to applicable FEMA FIRM No. 06065C0761G, the Project site is located within "Zone X (unshaded)," which is not considered to be a flood hazard area (FEMA, 2008). Accordingly, the Project site has no potential to be impacted by seiches, mudflows, and/or tsunamis.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact with Mitigation Incorporated: The Project would be required to comply with the Santa Ana Region Basin Water Quality Control Program which includes the requirement to complete and submit a SWPPP for construction related activities. Additionally, the prepared WQMP demonstrates compliance with the City's MS4 Permit and minimizes the release of potential waterborne pollutants.

Mitigation Measures HYD-1 and HYD-2 are identified to require the Applicant to prepare and submit a project specific SWPPP and adhere to the prepared WQMP. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan, and impacts would be less than significant with mitigation incorporated.

Mitigation Measures

Mitigation:

X

(a, b, e)

HYD-1: The City's Municipal Separate Storm Sewer System (MS4) requires development projects to prepare and submit to the City for approval a site-specific Storm Pollution Prevention Plan (SWPPP) prior to the issuance of a grading permit. The Applicant shall adhere to and comply with the requirements noted in the respective project specific SWPPP for the duration of project-related activities.

HYD-2: The Applicant shall adhere to and comply with requirements noted in the City approved, project specific Water Quality Management Plan (WQMP) for the duration of project-related activities.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 2 – Community Development Element – Section 2.1 – Land Use
 - Map LCC-2: Concept Areas and Major Specific Plans
 - Map LCC-4: Proposed General Plan Land Use
 - Chapter 8 – 2014 – 2021 Housing Element
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- Section 5.12 – Population and Housing
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 4. Final Air Installations Compatible Use Zones Study, March Air Reserve Base, 2018.
 5. Moreno Valley Industrial Area Plan (Specific Plan 208), City of Moreno Valley, amended March 12, 2002
 6. City of San Bernardino General Plan, adopted November 1, 2005.
 7. Ontario International Airport Land Use Compatibility Plan, adopted April 19, 2011.

Discussion of Impacts

Would the project:

- a) Physically divide an established community?

Less than Significant Impact: The Moreno Valley Industrial Area Plan (Specific Plan 208) was adopted by the City on June 27, 1989 and was amended on March 12, 2002. The Project site is located within the southwestern portion of the Specific Plan planning area. Specific Plan 208 designates the site as a Clear Zone, which restricts land uses to open space, agriculture, automobile parking, and roads (SP p. III-3). SP 208 was intended to facilitate industrial development and related land uses to further economic development and expand the employment base. The surrounding land uses include the MARB to the northwest and vacant land and warehouses to the north, south, and east. No established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community.

Although the Project site is not located near or within an established community, the parcel (APN 316-211-015) directly east of the Project site is currently landlocked and thus would need access at the time the parcel is developed. Thus, the Project Applicant proposes a 24-foot access easement along the northerly property boundary (see *Figure 1-5, Site Plan*) to provide access to the landlocked parcel. Thus, with the proposed easement, the potential for the Project to physically divide an established community is less than significant.

- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact:

The Project site is currently designated as Open Space per the City's General Plan Update (June 15, 2021) as illustrated in *Figure 1-3, General Plan Land Use Map*. Per the City's Zoning Map dated January 22, 2020, the Project site is designated as SP 208 CZ, see *Figure 1-4, Zoning Map*. Although the March 3, 2022 Zoning Map update does not explicitly identify the Project site as SP 208 CZ, the Specific Plan 208 boundary has not changed. Therefore, the Project site remains within SP 208 and is designated as CZ.

Specific Plan 208

The Project site is located within the Moreno Valley Industrial Area Specific Plan (SP 208) (City of Moreno Valley, Map LCC-2, 2021). SP 208 designates the Project site as Clear

Zone (CZ) with land uses restricted to open space, agricultural, automobile parking, and roads. As noted within the SP 208, p. 1-5, actions deemed to be consistent with the Area Plan will be judged to be consistent with the Moreno Valley General Plan, as mandated in Section 65454 of the California Government Code. Therefore, the proposed Project is consistent with the City’s General Plan and Zoning designation. The City’s Municipal Code allows the City to approve projects within a specific plan area only if the project is consistent with the Specific Plan (Moreno Valley Mun. Code, sec. 9.13.100). As the Project is proposing to develop a parking lot, the Project is consistent with the specific plan CZ designation and is therefore consistent with the General Plan land use designation.

Airport Land Use Commission (ALUC)

In addition, the Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan (ALUC). ALUC identifies that “*automobile parking lots are acceptable as open space areas*” free of most structures and other major obstacles such as walls, large trees, or poles (greater than 4 inches in diameter, measured 4 feet above the ground, and overhead wires” (ALUC Policy Section 4.32.4). In addition, pursuant to Policy 1.5.2, ALUC Commission policy is that only major land use actions listed in Policy 1.5.3 shall be submitted for review. The proposed Project is a parking lot which is a permitted land use under SP 208 (subject to plot plan approval) and does not require any legislative actions. Thus, ALUC review is not required.

Zone A prohibits non-aeronautical structures, assemblage of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. The Project has been designed so there will be no structures, no assemblage of people, no objects exceeding FAA height limit, and no storage of hazardous materials on the Project site.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 2 – Land Use & Community Character

- Map LCC-4: Proposed General Plan Land Use
- 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.12 – Mineral Resources
 - Figure 4.12-1 Mineral Resource Zones
- 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.02.120 – Surface Mining Permits
- 4. The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796), <https://www.conservation.ca.gov/dmr/lawsandregulations>

Discussion of Impacts

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less Than Significant Impact: The Moreno Valley General Plan does not identify any mineral resource recovery sites or designate land for mineral resource production within the vicinity of the Project site. SMARA regulations govern the extraction of mineral resources and eventual reclamation of mining operations, allowing for the mining of any locally important mineral resources while precluding or minimizing potentially adverse environmental effects. Mineral Land Classification (MLC) studies are produced by the State Geologist as specified by the Surface Mining and Reclamation Act (SMARA, PRC 2710 et seq.) of 1975. The mineral potential within the City is very limited.

The Project site is not located within an area known to be underlain by regionally -or locally- important mineral resources, as disclosed by the City's General Plan and associated General Plan DEIR. The General Plan indicates that the Project site is located within an MRZ-3 (Mineral Resource Zone 3) classification, in which the significance of mineral deposit cannot be evaluated; however, it is unlikely that the site would be considered viable for mineral extraction (MoVal 2040 Project EIR, 2021, p. 4.12-4). Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. Impacts would be less than significant.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Less than Significant Impact: As stated above in Section (a), the Project site is not located within an area designated to contain locally important mineral resources. The Project site is within an area of undetermined mineral resource significance, identified as zone MRZ-3. The City's General Plan does not identify any locally-important mineral resource recovery sites. Thus, Project implementation would have a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Noise – Would the project result in:				
a) Generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 7 – Noise
 - Map N-1: Existing Noise Contour
 - Map N-2 : MARB Noise Contour
 - Map N-3 : Future Noise Contour
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.13 – Noise
 - Figure 4-13.3 March Air Reserve Base Noise Contours
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.140 Noise and Sound
4. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations
5. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, <http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>
6. "RIV March Arb Airport (RIV/KRIV)." FlightAware, accessed October 17, 2021. <https://flightaware.com/live/airport/KRIV>.

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Discussion of Impacts

Would the project result in:

- a-b)** Generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Generation of excessive ground-borne vibration or ground-borne noise levels?

Less than Significant Impact: The Project site is surrounded by the March Air Reserve Base (MARB) to the northwest and industrial uses to the north, south, and east. The Project site is zoned as SP 208 CZ, which restricts land use to open space agriculture, automobile parking, and roads. Additionally, the Project site is located within Zone A of the MARB Land Use Compatibility Plan. The noise levels surrounding the Project site are projected to be between 70 and 75 dB. Over the past three (3) years, MARB has had a range of flight activity from a minimum of four (4) arrivals and departures per day to a maximum of forty-five (45) arrivals and departures per day (FlightAware). In 2021, the average departures per day ranged between twenty (20) to thirty (30) flights. Thus, with the existing noise levels surrounding the site, Project implementation would have a less than significant impact on noise levels.

Construction Effects:

The Municipal Code Section 8.14.040(E) states that construction within the City shall only occur from 7AM to 7PM from Monday through Friday excluding holidays and from 8AM to 4PM on Saturdays. A noise disturbance is defined as a sound that disturbs a reasonable person of normal sensitivities, exceeds the sound level limits set forth in the Noise Ordinance, or is plainly audible (as measured at a distance of 200 feet from the property line of the source of the sound if the sound occurs on privately owned property, or public right-of-way, public space, or other publicly owned property). The Municipal Code does not establish quantified limits for vibration levels. Section 9.10.170 states that "No vibration shall be permitted which can be felt at or beyond the property line."

Construction noise is expected to occur from site grading, and construction of the parking lot, and perimeter fence. Noise generated from Project construction equipment will include a combination of trucks, power tools, concrete mixers, and other equipment that when combined, can reach high levels. However, all construction of the Property will occur during hours permitted by the City's Municipal Code and therefore, will result in a less than significant impact. Project construction can generate varying degrees of ground-borne vibration, depending on the construction procedure and the construction equipment employed. Operation of construction equipment generates vibrations that spread through the ground and diminishes in amplitude with distance from the source. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. The proposed Project would generate ground-borne vibration during site grading; however, the ground-borne vibration and ground-borne noise levels would not be considered excessive. The potential impacts associated with construction vibration would be less than significant and the operations of the Project would not create any ground-borne vibration or ground-borne noise. Thus, impacts would be less than significant.

Operation Effects:

The parking lot will be secured with a gated entrance. Shuttles to the site will drop and/or pick-up drivers or vehicles off at the site and return to their original destinations. There will be no employees stationed at the gated entry. There may be potentially up to two security personnel checking the site throughout the day and/or evening. Thus, people on the site will be temporary and on a limited basis. An Environmental Impact Report for SP 208 was prepared which analyzed the proposed land uses allowed in the CZ designation and determined that there were no significant impacts.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less than Significant Impact: As stated above in Section (a-b), the Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan. Due to the Project site's proximity to MARB and the site's location within Zone A, the Project is subject to high noise levels, which can be expected to have a 70-75 dB activity level. However, the Project site is within Specific Plan 208 CZ which identifies agriculture, automobile parking and open space as compatible land uses. There will be no employees stationed on the site. According to the Applicant, there may be up to two employees checking the site for security purposes; however, it is anticipated that these two employees would typically remain within a vehicle and not more than five (5) minutes as they drive on the site. Thus, they should not be exposed to excessive noise levels. Therefore, Project implementation would cause a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Population and Housing – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 2 – Land Use & Community Character
 - Map LCC-4: Proposed General Plan Land Use
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.14 – Population and Housing
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

Discussion of Impacts

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact: The Project does not propose new residential development and would not directly contribute to population growth within the City. The Project will remain zoned as SP 208 CZ, which restricts land use to open space, agricultural, parking and roads. Although the Project includes infrastructure improvements, these improvements are small and unlikely to encourage unanticipated population growth. Based on the preceding, the Project would have no impact on substantial unplanned population growth.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact: No housing currently exists within the Project site and the Project does not propose uses or activities that would otherwise displace housing assets or persons. Based on the preceding, the proposed Project would have no impact related to displacement of housing or displacement of people.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services – Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental				

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impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 – Parks & Public Services
 - Section 5.2 – Parks and Open Space Network
 - Section 5.10 – Integrated Public Facilities and Inclusive Community Services
 - Map PPS-3: Public Facilities
 - Section 5.13 – Public Safety
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.15 – Public Services and Recreation
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. School District Locator, Riverside County Office of Education, County Superintendent of Schools

Discussion of Impacts

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

i. Fire protection?

Less than Significant Impact: Fire protection services to the Project site are provided by the Moreno Valley Fire Department (MVFD). The Project site is served by the Kennedy Park Fire Station (Station No. 65), located at 15111 Indian Avenue, approximately 2 miles to the northeast of the Project site. Additional services in the vicinity are the College Park Fire Station, located 2.8 miles northeast of the Project and the Morrison Park Fire Station, located 5 miles northeast of the Project site (City of Moreno Valley, 2021). Thus, the Project would be adequately served by fire protection

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services, and no new or expanded unplanned facilities would be required. Impacts to fire protection facilities would be less than significant.

ii. Police protection?

Less than Significant Impact: Police protection services to the Project site are provided by the Moreno Valley Police Department. The Project site is served by the Moreno Valley Police Station, located at 22850 Calle San Juan De Los Lagos, approximately 3.9 miles northwest of the Project site. The Project does not include buildings and would not have long-term employees at the Project site. During construction, there will be workers at the Project site, which would result in a short-term increase in demand for police protection services. The Project is not anticipated to require or result in the construction of new or physically altered police facilities. Based on the foregoing, the proposed Project would receive adequate police protection service, and would not result in the need for new or physically altered police protection facilities. Impacts to police protection facilities would therefore be less than significant.

iii. Schools?

No Impact: The Project site is located within the boundaries of the Val Verde Unified School District. The nearest schools are Val Verde Academy and High School, located 1.4 miles southwest of the Project; Rancho Verde High School located 1.9 miles east of the Project; and El Potero Preschool and Mary McLeod Bethune Elementary School, located 1.9 miles northeast of the Project site.

Development of the Project site as proposed by the Project would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The proposed Project is not expected to draw new residents to the region and would therefore not indirectly generate school-aged students requiring public education. The Project would not cause or contribute to a need to construct new or physically altered public school facilities. There would be no impact to public schools and no further analysis of this subject is required.

iv-v. Parks and Other public facilities?

No Impact: The City of Moreno Valley's Parks and Community Services Department maintains approximately 482 acres of parkland, which consists of seven community parks, 24 neighborhood parks, four specialty parks and 15 miles of trails/greenways (MoVal 2040 Project EIR, 2021, p. 4.15-11). The nearest park is El Potrero Community Park, located approximately 1.6 miles northeast of the Project site.

The Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. As discussed under (ii) and (iii) above, the Project would not create a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact

would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Recreation				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 – Parks & Public Services
 - Section 5.4 – Parks and Open Space Network
 - Map PPS-1: Existing and Planned Parks and Recreation Facilities
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.15 – Public Services and Recreation – 4.15.5.2 Topics 2 and 3: Parks and Recreation Facilities
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. California Government Code § 66477

Discussion of Impacts

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact: The Project proposes to develop the site with a parking lot for automobiles. The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, no impact would occur, and no further analysis of this subject is required.

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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact: The Project proposes to develop the site with a parking lot for automobiles. The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Thus, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. Thus, no impact would occur, and no further analysis of this subject is required.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation/Traffic – Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 4 Circulation Element
 - Map C-1: Circulation Diagram
 - Map C-2: Existing and Planned Bicycle and Pedestrian Network
 - Map C-3: Transit Lines and Facilities
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.16 – Transportation
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 3.18 Special Gas Tax Street Improvement Fund

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

5. Moreno Valley Master Bike Plan, adopted January 2015.
6. Riverside County Transportation Commission, Congestion Management Program, December 14, 2011.
7. Focused Traffic Impact Analysis for the Heacock Logistics Parking Lot Project. Prepared by Linscott, Law and Greenspan Engineers, May 19, 2022. (*Appendix I*)

Discussion of Impacts

Would the project:

- a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than Significant Impact: Per request of the City on July 8, 2021, Linscott, Law & Greenspan Engineers (LLG) conducted a Focused Traffic Impact Analysis for the Heacock Logistics Parking Lot Project, dated May 19, 2022 (*Appendix I*). The results of the traffic analysis indicate that the proposed automobile parking will not significantly impact the existing surrounding roadway network without and with the Heacock Street Extension. The two (2) key study intersections of Heacock Street at Nandina Avenue and Webster Avenue at Harley Knox Boulevard, and the one (1) Project driveway are forecast to operate in the Year 2023 at acceptable levels of service (LOS) B or better during the AM peak hour and PM peak hour without and with the Heacock Street Extension. Therefore, no improvements are required under Year 2023 Cumulative Plus Project traffic conditions. The Cumulative Plus Project traffic conditions take into consideration the traffic generation of ten (10) cumulative projects within a one-mile radius of the Project site. Additionally, based on the low amount of project volume entering the site, project vehicles will not queue back onto Heacock Street, as the queue is expected to be no more than one project vehicle.

Traffic generation is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. The proposed Project for automobile parking is forecast to generate 158 daily trips (*see Appendix I*). The Traffic Impact Analysis concluded that the daily vehicle trips associated with the proposed Project is below the thresholds requiring the preparation of a Vehicle Miles Traveled (VMT) analysis report. Although the Project will add additional traffic along Heacock Street during the construction phase, this traffic will be minimal and temporary in nature.

The Moreno Valley General Plan Circulation Element identifies Heacock Street as an Arterial roadway that will connect to Harley Knox Boulevard and N. Webster Avenue. Heacock Street currently ends at the southwest corner of the Project site just before the Perris Valley Storm Drain. The Heacock Street Extension planned changes include the construction of a 100-foot right-of-way (ROW) with a Class II bike lane to connect the existing portion of Heacock Street to Harley Knox Boulevard and N. Webster Avenue.

Based on the Focused Traffic Impact Analysis (*see Appendix I*), Project operation will have minimal traffic impacts. The proposed Project will include infrastructure improvements per the guidelines set forth by the City. Therefore, the proposed Project would be consistent with any program, plan, or ordinance or policy addressing the

circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact: CEQA Guidelines Section 15064.3 subdivision (b) pertains to Vehicle Miles Traveled (VMT) and whether the land use project will generate vehicle miles traveled in excess of an applicable threshold of significance. Vehicle trips associated with the Project are below thresholds requiring preparation of a Vehicle Miles Traveled (VMT) analysis; therefore, a less than significant impact would occur.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact: The proposed Project does not include any sharp curves or traffic intersection crossings. The proposed Project will only add one (1) driveway approach along Heacock Street and will not alter the geometric design of the existing street, see Figure 1-5: Site Plan. The traffic impact analysis indicates that the proposed Project will not significantly impact either of the two (2) key study intersections without and with the Heacock Street Extension. Given that there are no significant project impacts, no street improvements are required. Therefore, no impact will occur.

- d) Result in inadequate emergency access?

Less than Significant Impact: The proposed Project would be compatible with the design and operation of the street network and would not result in any major modifications to the existing access or circulation features. The Project proposes one (1) full-access driveway on Heacock Street. The Project will conform with local, state, and federal regulations regarding circulation and traffic pattern design. The driveway would accommodate traditional fire apparatus, allowing for adequate emergency access. The Project would not result in inadequate emergency access to the Project Site. Thus, a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>XVIII. Tribal Cultural Resources – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				

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<p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10- Open Space and Resource Conservation
2. Moreno Valley General Plan Draft Program Environmental Impact Report
 - Section 4.5 – Cultural and Tribal Resources
 - Table 4.5-1 List of Historic Resources and their Eligibility Status
 - Figure 4.5-1 Historic Resources
 - Figure 4.5-2 Archaeological Sensitive Areas
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Title 7 – Cultural Preservation
5. Cultural Resources Survey Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, Riverside County, California prepared by CRM Tech, September 25, 2021. *(Appendix C)*
6. Paleontological Resources Assessment Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 27, 2021. *(Appendix D)*
7. California Public Resources Code
 - Section 21074
 - Section 50.20.1(k)
 - Section 50.24.1
 - Sections 21080.1, 21080.3.1, and 21080.3.2
8. Moreno Valley Tribal Mitigation Measures, received January 11, 2022

Discussion of Impacts

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

Less than Significant Impact: On June 3, 2021, CRM Tech submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission’s Sacred Lands File. In a response letter from NAHC, dated

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June 24, 2021, NAHC states that the Sacred Lands File identified no Native American cultural resources in the Project vicinity (*see Appendix D*). CRM Tech also reached out to invite a member of the Soboba Band of Luiseño Indians to participate in a field survey of the Project site. On July 26, 2021, CRM Tech archaeologist carried out an intensive field survey of the Project area with the assistance of tribal monitor Victoria Banda from the Soboba Band of Luiseño Indians. The intensive- level field survey produced completely negative results for potential cultural resources, and no buildings, structures, objects, sites, features, or artifact deposits of prehistoric or historical origin were encountered. The entire Project site has been extensively disturbed due to many years of previous agricultural activities. No bedrock outcrops or other potential markers of prehistoric human activities were found in the Project area. A segment of Lateral B-Oleander Channel of the Perris Valley Storm Drain, adjacent to the southern Project boundary, was previously recorded into the California Historical Resources Inventory as Site 33-024867 but was determined not to be eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. Furthermore, no tribal cultural resources that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), have been identified or associated with the Project site. The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). Therefore, a less than significant impact would occur as a result of the Project.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant Impact: The Project site does not contain any known resources determined by the lead agency, in its discretion and support by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. It is possible that tribal cultural resources exist at a depth given the prehistoric occupation of the region. As mentioned in the Mitigation Measures of section V. Cultural Resources, an archaeologist and Tribal monitors will be present during all earth-moving activities regarding the Project. If human remains or artifacts are unearthed, they will be analyzed and, if they are found to be of human prehistoric origin, council from on-site Native American tribes will be sought. The California Native American Heritage Commission's Sacred Lands File identified no Native American cultural resources within the Project site, and the site survey, which was accompanied by the Soboba Band of Luiseño Indians tribal monitor, found no indication of tribal cultural resources within the Project site. Therefore, a less than significant impact to resources considered significant by a California Native American tribe is expected to occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems – Would the project:				
a) Require or result in the relocation or construction of new or expanded water or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 – Parks & Public Services – Section 5.16 – Utilities
2. Final Draft Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive Plan Update, Housing Element Update, and Climate Action Plan, RECON Environmental, Inc., April 2, 2021.
 - Section 4.0 – Environmental Analysis – Section 4.17 Utilities/Service Systems
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls

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5. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (*NPDES*).
6. Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste

Discussion of Impacts

Would the project:

- a) Require or result in the relocation or construction of new or expanded water or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact: The proposed Project involves the construction of a 194-stall automobile parking lot on 9.14 acres. Water supply and wastewater treatment are provided to the Project site by EMWD. No additional or non-standard treatment is required to specifically meet the Project's water supply and/or wastewater conveyance and treatment demands. The Project is required to conform with City regulations relating to stormwater runoff and discharge. Adequate stormwater management systems and Best Management Practices (BMPs) shall be incorporated into the Project to reduce impacts to existing City drainage infrastructure. Based on the preceding, the Project's potential to require the construction or relocation of new or expanded water or wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects, is considered less than significant.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less than Significant Impact: The City of Moreno Valley is served by two water purveyors: Eastern Municipal Water District (EMWD) and the Box Springs Mutual Water Company. EMWD is the primary water purveyor for the City and would provide water service to the Project. Water demands of the Project are consistent with the EMWD 2015 Urban Water Management Plan (UWMP). The proposed Project involves the construction of a 194-stall automobile parking lot that is consistent with the zoning designation and Specific Plan. EMWD plans to meet increases in projected demands through a combination of local supply development and ongoing water conservation. EMWD is in the process of completing master planning documents that investigate optimal supply portfolios to meet the agency's needs. Sufficient water supplies are available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts are expected to be less than significant.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less than Significant Impact: Wastewater service will be provided to the Project site by

EMWD. Wastewater generated by the Project would be collected and conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF). This facility has a capacity to treat 16 million gallons of wastewater per day (mgd) and a capacity to expand to 41 mgd. The utilization in the year 2002 was approximately 11 mgd. The Project would pay applicable sewer connection and service fees, providing funds available for EMWD wastewater system expansion and maintenance, acting to offset the Project's incremental demands for wastewater collection and treatment services. Given that the Project proposes a low intensity land use, as zoned as SP 208 CZ, wastewater from the proposed Project is not anticipated to exceed the capacity to the wastewater treatment provider, even when considering existing and cumulative demand. Impacts are expected to be less than significant.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact: Locally generated solid waste is deposited in several local landfills, including the Badlands Sanitary Landfill at the eastern end of Ironwood Avenue. The Badlands Sanitary Landfill is owned and operated by the Riverside County Waste Resources Management District. The proposed Project would minutely increase the volume of solid waste generated in the County.

In these regards, the California Integrated Waste Management Act under the Public Resources Code requires that local jurisdictions divert at least 50% of all solid waste generated by January 1, 2000. The City remains committed to continuing its existing waste reduction and minimization efforts with the programs that are available through the City. Additionally, beginning July 1, 2012, the State of California required that all businesses that generate four cubic yards or more of refuse per week implement a recycling program. This requirement is set forth in Assembly Bill 341, which was passed by the California legislation in October 2011. The Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the City.

Commercial uses proposed by the Project, and solid waste generated by those uses, would not otherwise conflict with federal, state, and local statutes and regulations related to solid waste. Based on the preceding, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals is less than significant.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact: The Project would be implemented and operated in compliance with applicable City General Plan Goals and Policies, and would comport with City Zoning regulations—specifically, the Project would comply with local, state, and federal initiatives and directives acting to reduce and divert solid waste from landfill waste streams. As described in section (d) above, the Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the City. The proposed Project is required to comply with all applicable federal, state, County, and City statutes and regulations related to solid waste as a standard project condition of approval. Therefore,

no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Wildfire – If located in or near a State Responsibility Area (“SRA”), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 6 – Safety Element
 - Map S-3: Landslide Hazards
 - Map S-4: Flood Hazard Areas
 - Section 6.8 Wildfire Hazards
 - Map S-5: Fire Hazard Severity Zones
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.18 – Wildfire

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3. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 6 – Flooding
 - Figure 6-1 – Moreno Valley Flood Zones 100 & 500 Year Zones 2017
4. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Threat Assessment 3 – Wildfire
5. California Department of Forestry and Fire Protection. Very High Fire Hazard Severity Zones in LRA – Western Riverside County. December 2009.

Discussion of Impacts

If located in or near a State Responsibility Area (“SRA”), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact: The Project site is not located within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE). The nearest fire hazard zone to the Project site is located approximately 2 miles northeast in the Bernasconi Hills area. There are no wildland conditions in the urbanized area where the Project is located. Additionally, the proposed Project will not substantially impair an adopted emergency response plan or emergency evacuation plan and no impact will occur.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact: The California Department of Forestry and Fire Protection (CAL FIRE) designates Fire Hazard Severity Zones (FHSZs) throughout the state based on factors such as fuel, slope, and weather to indicate varying degrees of fire hazard (i.e., moderate, high, and very high). According to the Moreno Valley General Plan, wildland fire is of minimal concern in most of the City due to the urbanized landscape. However, some areas within the City limit and the surrounding rolling hills are highly prone to fire due high temperatures, low annual precipitation, and the annual grasses and shrubbery that cover the hills.

As discussed above in section (a), the Project site is not located within a fire hazard zone, and there are no wildland conditions in the urbanized area where the Project site is located. Therefore, the Project will not exacerbate wildfire risks, thereby exposing Project occupants or visitors to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impact will occur.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact: The Project site is not located within or near any State Responsibility Areas. As a result, none of the Project improvements would exacerbate fire risk or will result in a temporary or ongoing impact from wildfires requiring installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact will occur.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact: The Project site is not located within or near any State Responsibility Areas that would expose people or development to significant risks from post-fire instability or drainage changes. The Project site is not located within any FEMA 100-year Floodplains or Landslide Hazard Areas; however, the Local Hazard Mitigation Plan identifies that the Project site is within a 500-year Floodplain. Given that the Project site is located in an urban environment and is not in proximity to a State or Local Responsibility Area, the Project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. Mandatory Findings of Significance				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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the effects of other current projects, and the effects of probable future projects)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or prehistory?

Less than Significant Impact with Mitigation Incorporated: The proposed Project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, and would not result in excessive light or glare. The Project site is located within a developed area that contains light industrial uses as well as MARB. The proposed Project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species with incorporation of Mitigation Measure **BIO-1**.

As described in Section IV, adverse impacts to historical resources would be less than significant. Construction-phase procedures would be implemented in the event any important cultural, archaeological, or paleontological resources are discovered during grading, consistent with Mitigation Measures **CR-1** through **CR-8**.

Furthermore, the analysis provided in Section III and VIII concludes that impacts related to emissions of criteria pollutants, climate change, and other air quality impacts would be less than significant.

Based on the preceding analysis of potential impacts in the responses to Sections I through XX, no evidence is presented that the proposed Project would degrade the quality of the environment. Impacts related to degradation of the environment, biological resources, and cultural resources would be less than significant with mitigation incorporated.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than Significant Impact with Mitigation Incorporated: Cumulative impacts can result from the interactions of environmental changes resulting from one proposed Project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public systems, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short-term and temporary, usually consisting of overlapping construction impacts, as well as long-term, due to the permanent land use changes and operational characteristics

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involved with the proposed Project. The analysis in Section III related to air quality found that impacts would be less than significant with incorporation of Mitigation Measure **AQ-1**; therefore, the Project would not contribute to localized or regional cumulative impacts. Additionally, the analysis in Section IV found that no individual impacts to sensitive species or migratory birds would occur with incorporation of Mitigation Measure **BIO-1**. The Project would have no other impacts on biological resources and would not result in localized or regional cumulative impacts.

Loss of on-site archaeological resources could reduce or eliminate important information relevant to the County of Riverside and the City. Mitigation Measures **CR-1** through **CR-8** are incorporated to reduce impacts to archaeological and paleontological resources, as well as buried Native American remains/artifacts. Implementation of the mitigation measures would eliminate any potential loss of important local archaeological information or Native American remains that may be buried at the Project Site; therefore, the proposed Project would have no contribution to a cumulative loss of important local or regional archaeological knowledge.

Section X concludes that impacts related to hydrology and water quality would be less than significant with incorporation of Mitigation Measures **HYD-1** and **HYD-2** to require the preparation of a SWPPP and adherence to the City approved WQMP. Impacts on the local or regional level would be less than significant with incorporation of mitigation and the Project's contribution would not be considerable.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact: Based on the analysis of the Project's impacts in the responses to items I through XX, there is no indication that this Project could result in substantial adverse effects on human beings. While there would be a variety of temporary adverse effects during construction, these would be less than significant. There are no long-term effects related to traffic, noise, hazardous materials, emissions of criteria pollutants and greenhouse gas emissions, increased demand for water use, wastewater disposal, and electricity use, or increased demand on emergency response services. Environmental effects would result in less than significant impacts. Based on the analysis in this Initial Study, direct and indirect impacts to human beings would be less than significant.

CHAPTER THREE – PREPARERS

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March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan

Adopted by

Riverside County Airport Land Use Commission

November 13, 2014

Prepared by



Santa Rosa, California

MARCH AIR RESERVE BASE / INLAND PORT AIRPORT LAND USE COMPATIBILITY PLAN

Adopted November 13, 2014

OVERVIEW

This *March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan (March ARB/IPA ALUCP)* was prepared for and adopted by the Riverside County Airport Land Use Commission (RCALUC). In accordance with provisions of the California State Aeronautics Act (Public Utilities Code Section 21670 *et seq.*), the RCALUC has been assigned the lead responsibility for airport land use compatibility planning around each of the public-use and military airports in Riverside County, including the preparation of an ALUCP for each airport.

Beginning in 2004, the RCALUC began adopting new versions of the ALUCPs for most of these airports. Each of these individual ALUCPs is contained within a single, countywide document entitled *Riverside County Airport Land Use Compatibility Plan*. The ALUCP for each airport consists of the policies in Chapter 2 of that document that are applicable to all of the airports in the county together with airport-specific policies and maps in Chapter 3. This material plus an introductory chapter (Chapter 1) and a set of appendices comprise Volume I. Background data regarding each airport and its environs is included in Volumes 2 and 3.

This *March ARB/IPA ALUCP* maintains this established format. Thus, only the policies and maps specific to March ARB/IPA for insertion into Chapter 3 and the background data to be added to Volume 2 are presented here. All of the countywide policies in Chapter 2 of Volume 1 are considered to be part of the *March ARB/IPA ALUCP* unless explicitly modified or supplemented by the March-specific policies. The introductory and appendix content is also applicable although no ALUC policy is included therein.

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Insert for Riverside County ALUCP, Volume 1, Chapter 3, Individual Airport Policies and Compatibility Maps

MA. MARCH AIR RESERVE BASE/INLAND PORT AIRPORT

MA.1 Compatibility Map Delineation

- 1.1 *Airport Master Plan Status:* The *Compatibility Plan* for March ARB/IPA is primarily based upon the U.S. Air Force's *Air Installation Compatibility Use Zones Study* for March Air Reserve Base (AICUZ) dated August 2005. Noise contours included in the AICUZ have been supplemented by more recent contours prepared for the Air Force and March Joint Powers Authority. These contours reflect current and projected fleet mix changes as indicated in Policy MA.1.3 below. The compatibility zones and associated criteria set forth in the *March ARB/IPA Compatibility Plan* provide noise and safety compatibility protection equivalent to or greater than the Air Force recommended criteria presented in the AICUZ.
- 1.2 *Airfield Configuration:* The airfield consists of two runways. The primary runway (Runway 14-32)—oriented north-northwest/south-southwest—is 13,300 feet in length and is the longest runway open to civilian use in the state. The second smaller runway, Runway 12-30, is just over 3,000 feet; its use is and will continue to be restricted to military-related light aircraft (primarily Aero Club activity). The airport has straight-in instrument approach capabilities to Runway 32 and a non-precision approach to Runway 14. No changes in the existing configuration of the airport runways and approaches are anticipated.
- 1.3 *Airport Activity:* The *Compatibility Plan* reflects a composite of potential future military and civilian aircraft activity scenarios (see discussion in Chapter W7). The data primarily relied upon for future mission military activity is as indicated in the 2013 environmental study analyzing the impacts of a fleet mix conversion from F-16 to F-15 fighter aircraft [*F-15 Aircraft Conversion Environmental Impact Statement 144th Fighter Wing California Air National Guard Fresno-Yosemite International Airport* (National Guard Bureau, March 2013)]. This study indicates potential maximum mission activity as 54,104 annual operations by military transport, tanker, fighter, and helicopter aircraft, together with military contract air carrier and military Aero Club aircraft. Additionally, for the purposes of assessing land use noise compatibility, noise impacts reflected in three other studies are taken into account in the compatibility zones shown on Map MA-1, Compatibility Map, of this chapter: the 2005 *AICUZ Study* [*Air Installation Compatible Use Zone Study for March Air Reserve Base (AICUZ)* (Department of the Air Force, August 2005)]; the Total Force Integration study [*Environmental Assessment for Proposed Military Construction and Total Force Integration at March Air Reserve Base* (Air Force Reserve Command, June 2010)]; and a study of general aviation facility needs done for the March Joint Powers Authority [*Environmental Impact Report for March Inland Port General Aviation Facilities Development* (March Joint Powers Authority, August 2012)]. Future maximum civilian aircraft activity is limited by the joint use agreement and related air quality conformity determination to 21,000 annual operations. While the number of future aircraft operations indicated in each of these studies is similar, the mix of aircraft types and other factors that affect noise impacts differ.
- 1.4 *Airport Influence Area:* The factors used in defining the airport influence area for March ARB/IP and the individual compatibility zones within the airport influence area are

indicated in Table MA-1. Table 3A which is applicable to other airports in the county does not apply to March ARB/IPA. Table MA-1 makes adjustments to Table 3A that take into account the comparatively large geographic extent of the airport's impacts. Also, Compatibility Zone C is divided into two separate zones, C1 and C2.

The outer limits of *Zone E* and the areas within the *High Terrain Zone* define the airport influence area for March ARB/IPA. On the east side of the airfield, Zone E is established at 14,000 feet from the runway centerline. This distance is equivalent to the outer limits of the civilian airport conical surface, as established by FAR Part 77. The compatibility zones on the west side of the airport are more extensive because those areas are routinely overflown by both military and civilian aircraft.

MA.2 Additional/Specific Compatibility Policies

Policies set forth in Chapter 2, Countywide Policies, shall be modified or supplemented for the *March ARB/IPA ALUCP* as follows.

2.1 *Basic Land Use Compatibility Criteria:*

- (a) Countywide Table 2A: The basic compatibility criteria listed in Table 2A do not apply to the environs of March ARB/IPA. The compatibility criteria that shall be applicable to the March ARB/IPA influence area are set forth in Table MA-2. For the purposes of land use compatibility matters involving the March ARB/IPA influence area, any reference to Table 2A in the policies of Chapter 2 shall instead be taken as a reference to Table MA-2.
- (b) Countywide Policy 3.1.3(b): The policy concerning residential densities in Compatibility Zone D is not applicable to March ARB/IPA.
- (c) Countywide Policy 3.1.4(b): The reference to special risk-reduction building design measures is not applicable to March ARB/IPA.

2.2 *Infill:* Countywide Policy 3.3.1(a)(2) notwithstanding, infill residential development in the vicinity of March ARB/IPA need only be 50% bounded by similar uses to qualify as infill. All other provisions of Countywide Policy 3.3.1 apply.

2.3 *Supporting Compatibility Criteria for Noise:*

- (a) Countywide Policy 4.1.5: The CNEL considered normally acceptable for new residential land uses in the vicinity of March ARB/IPA is 65 dB. Table 2B is not applicable.
- (b) Countywide Policy 4.1.6: Single-event noise levels from aircraft operations can be particularly intrusive at night. Compared to other airports in the county, current and projected nighttime activity by large aircraft at March ARB/IPA warrants a greater degree of sound attenuation for the interiors of buildings housing certain uses as cited below.
 - (1) The maximum, aircraft-related, interior noise level that shall be considered acceptable shall be CNEL 40 dB for all new residences, schools, libraries, museums, hotels and motels, hospitals and nursing homes, places of worship, and other noise-sensitive uses. For office uses, the interior standard shall be CNEL 45 dB, the same as the countywide criterion.


Zone	Noise and Overflight Factors	Safety and Airspace Protection Factors
M <i>(Military)</i>	<i>Federal Lands</i> ▶ No ALUC authority	<i>Federal Lands</i> ▶ No ALUC authority
A <i>Clear Zone (if not on base)</i>	<i>Noise Impact: Very High</i> ▶ High CNEL and single-event noise levels	<i>Risk Level: Very High</i> ▶ Dimensions set to include Clear Zone as indicated in Air Installation Compatible Use Zone (AICUZ) study for airport ▶ Generally on air base property or controlled by easements
B1 <i>Inner Approach/Departure Zone</i>	<i>Noise Impact: High</i> ▶ Within or near 65-CNEL contour ▶ Single-event noise sufficient to disrupt many land use activities including indoors if windows open	<i>Risk Level: High</i> ▶ Within Accident Potential Zone I or II ▶ Additionally, zone boundary to north reflects turning flight tracks
B2 <i>High Noise Zone</i>	<i>Noise Impact: High</i> ▶ Within or near 65-CNEL contour ▶ Single-event noise sufficient to disrupt many land use activities including indoors if windows open	<i>Risk Level: Moderate</i> ▶ Beneath or adjacent to final approach and initial departure flight corridors or adjacent to runway ▶ Not within Accident Potential Zones
C1 <i>Primary Approach/Departure Zone</i>	<i>Noise Impact: Moderate to High</i> ▶ Within or near 60-CNEL contour ▶ Single-event noise may be disruptive to noise-sensitive land use activities; aircraft <2,000 feet above runway elevation on arrival and generally <3,000 feet above runway elevation on departure	<i>Risk Level: Moderate</i> ▶ Beneath or adjacent to low altitude overflight corridors
C2 <i>Flight Corridor Zone</i>	<i>Noise Impact: Moderate</i> ▶ Within 60 CNEL contour, but more than 5 miles from runway end; or ▶ Outside 60-CNEL contour, but regularly overflown in mostly daytime flight training ▶ Single-event noise may be disruptive to noise-sensitive land use activities; aircraft <3,000 feet above runway elevation on arrival	<i>Risk Level: Moderate to Low</i> ▶ Distant (beyond 5 miles) portion of instrument arrival corridor; or ▶ Closed-circuit flight training activity corridors
D <i>Flight Corridor Buffer</i>	<i>Noise Impact: Moderate to Low</i> ▶ Mostly within 55-CNEL contour ▶ More concern with respect to individual loud events than with cumulative noise contours	<i>Risk Level: Low</i> ▶ On periphery of flight corridors ▶ Risk concern primarily with uses for which potential consequences are severe (e.g. very-high-intensity activities in a confined area)
E <i>Other Airport Environs</i>	<i>Noise Impact: Low</i> ▶ Beyond 55-CNEL contour ▶ Occasional overflights intrusive to some outdoor activities	<i>Risk Level: Low</i> ▶ Within outer or occasionally used portions of flight corridors
 High Terrain Zone	<i>Noise Impact: Low</i> ▶ Individual noise events slightly louder because high terrain reduces altitude of overflights	<i>Risk Level: Moderate</i> ▶ Moderate risk because high terrain constitutes air-space obstruction ▶ Concern is tall single objects (e.g., antennas)

Table MA-1

Compatibility Zone Factors

March Air Reserve Base / Inland Port Airport

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- (2) To ensure compliance with these criteria, an acoustical study shall be required to be completed for any development proposed to be situated where the aviation-related noise exposure is more than 20 dB above the interior standard (e.g., within the CNEL 60 dB contour where the interior standard is CNEL 40 dB). Standard building construction is presumed to provide adequate sound attenuation where the difference between the exterior noise exposure and the interior standard is 20 dB or less.

2.4 Supporting Compatibility Criteria for Safety:

- (a) Countywide Policy 4.2.3: The acceptability of land uses of special concern within certain compatibility zones around March ARB/IPA shall be evaluated in accordance with the criteria indicated in Table MA-2. The criteria listed in Countywide Policy 4.2.3 do not apply.
- (b) Countywide Policy 4.2.4: The requirements for open land do not apply to the vicinity of March ARB/IPA except with regard to Compatibility Zones A and B1.
- (c) Countywide Policy 4.2.5: For the vicinity of March ARB/IPA, new nonresidential development shall not be clustered in a manner that would result in a usage intensity within any one acre (the number of people per single acre) exceeding the limits specified in Table MA-2. Clustering of residential development is encouraged, but the density within any one acre shall be limited to no more than 4.0 times the allowable average density for the zone in which the development is proposed.
- (d) Countywide Policy 4.2.6: The policy concerning risk reduction through building design is not applicable to the March ARB/IPA influence area.
- (e) Calculation of Usage Intensities for Retail Uses: Notwithstanding the provisions of Appendix C and Table C1 of the *Riverside County Airport Land Use Compatibility Plan*, the usage intensities of retail sales and display areas (a.k.a. mercantile areas) or “showrooms” (excluding restaurants and other uses specifically identified separately from retail/mercantile in Table C1) shall be evaluated as having an occupancy level of 115 gross square feet per person without eligibility for the 50 percent reduction in the resulting usage intensity (people per acre) as described in the appendix.
- (f) Calculation of Usage Intensities for Warehouse Uses: Notwithstanding the provisions of Appendix C and Table C1 of the *Riverside County Airport Land Use Compatibility Plan*, the usage intensities of warehouses, distribution centers, e-commerce centers, fulfillment centers, and similar uses in buildings larger than 200,000 gross square feet, exclusive of offices, conference rooms, break rooms and other uses identified separately from warehouses in Table C1, shall be calculated as follows:
- (1) High-cube warehouses and distribution centers, other than e-commerce centers and fulfillment centers, shall be evaluated on the basis of 35% of the usage intensity that results from the occupancy level indicated in Table C1.
 - (2) E-commerce centers, fulfillment centers, and other similar uses shall be evaluated on the basis of 50% of the usage intensity that results from the occupancy level indicated in Table C1.

- (3) Office space in these buildings shall be evaluated on the basis of 50% of the usage intensity that results from the occupancy level indicated in Table C1. All other separately identified uses shall be evaluated on the basis of the occupancy level listed for the respective use in Table C1.

2.5 *Supporting Compatibility Criteria for Airspace Protection:*

- (a) *Countywide Policy 4.3.3:* For proposed objects in the March ARB/IPA vicinity, the heights requiring ALUC review shall be as specified in Table MA-2.
- (b) *Countywide Policy 4.3.4:* Heights of objects shall be restricted in accordance with the airspace protection surfaces depicted in Table MA-2.
- (c) *Countywide Policy 4.3.5:* The compatibility zones within which dedication of an avigation easement shall be required as a condition of development is as indicated in Table MA-2. Except within Compatibility Zone A, avigation easements shall be dedicated to the March Inland Port Airport Authority or other civilian agency that may supersede it (successor-in-interest). Any avigation easements required within Zone A shall be dedicated to the United States of America.
- (d) *Countywide Policy 4.3.7:* Additional hazards to flight as listed in Table MA-2 are to be avoided in the vicinity of March ARB/IPA.

2.6 *Supporting Compatibility Criteria for Overflight:*

- (a) *Countywide Policy 4.4.3:* The compatibility zones within which a deed notice shall be required as a condition of development are as indicated in Table MA-2.

2.7 *Site-Specific Exceptions:*

Four development projects near March ARB have received entitlements in the form of Development Agreements or Disposition and Development Agreements from the respective jurisdictions prior to adoption of the *ALUCP* by the Riverside County ALUC. As such, exceptions to the compatibility criteria outlined in the preceding subsections are granted for these projects provided that they meet the conditions indicated below. (The locations of these exceptions are shown on Map MA-1 and the numbers below correspond to the numbering on that map.)

Exceptions for Sites 1 through 4 are valid only as long as the indicated specific plans and associated development agreements remain in effect. Any changes to the specific plans must be reviewed by the ALUC to ensure that increases in intensity of the proposed development would not result from the changes. Further, if the development agreements should expire, the criteria applicable to the property for which these exceptions apply shall revert to the underlying compatibility criteria indicated in this *ALUCP*.

- (a) *(Exception Site 1) March Business Center Specific Plan (SP-1) and Meridian (SP-5), March Joint Powers Authority*
- (1) Situated in Compatibility Zones B1, B2, C1, C2 and D.
 - (2) March Business Center, a 1,032-acre, non-residential business park located at the southwest corner of Alessandro Boulevard and I-215 freeway within the March Joint Powers Authority, approved with specific airport compatibility provisions

(Ord. #JPA 03-01, SP-1), subject to March JPA Resolution #JPA 11-17 limiting development within the Accident Potential Zones and vested through a development Agreement recorded on June 7, 2004.

- (3) Meridian, a 258-acre portion of the original March Business Center, consisting of a nonresidential business park located at the southwest corner of Alessandro Boulevard and I-215 freeway within the March Joint Powers Authority, approved with specific airport compatibility provisions (Ord. #JPA 10-02, SP-5), subject to March JPA Resolution #JPA 11-17 limiting development within the Accident Potential Zones and vested through a development Agreement recorded on June 7, 2004.
 - (4) For the purpose of this *Compatibility Plan*, the Meridian exception area specifically allows development of a hotel or hotels on the 13-acre site situated within Compatibility Zone B2 and bordered by Interstate 215 on the east and Van Buren Boulevard on the south. Any such hotel or hotels shall be limited as follows: maximum of 100 people per acre; maximum of 250 people per single acre; maximum of 3 above-ground habitable floors; no conference facilities (however, small meeting room(s) for a total of up to 50 people is (are) acceptable). Sound attenuation as appropriate for the combined airport and freeway noise levels shall be provided.
 - (5) The Development Agreement referenced in Paragraphs (2) and (3) above expires on December 27, 2016. After that, the agreement provides for two more 5-year automatic extensions. The developer must request the Development Agreement extensions and the Authority must make findings that the development is still in substantial conformance.
- (b) *(Exception Site 2) Harvest Landing Specific Plan, City of Perris*
- (1) Situated in Compatibility Zone C2.
 - (2) A 341-acre mixed-use Specific Plan located south of Placentia Avenue and east of Interstate 215 within the City of Perris and authorizing 1,860 residential units and 1,306,582 square feet of business/commercial uses. The Specific Plan and associated Development Agreement were adopted in May 2011.
 - (3) Agreement will expire 15 years from the approval date plus extensions in 5-year increments subject to City Council approval.
- (c) *(Exception Site 3) Park West Specific Plan, City of Perris*
- (1) Situated in Compatibility Zones C1 and C2.
 - (2) A 534.3-acre residential Specific Plan located south of Nuevo Rd and east of the Perris Valley Storm Channel within the City of Perris and authorized for a maximum of 2,027 residential units as identified in the Specific Plan and Development Agreement approved by Council on January 30, 2007.
 - (3) Agreement for Phase I expires 10 years from the approval date. Phases II and III extend the agreement to 2027 or 10 years after the developer submits an application for approval of a tentative tract map for any portion of these phases.

(d) *(Exception Site 4) Day/ Alessandro Affordable Housing Site, City of Moreno Valley*

- (1) Situated in Compatibility Zone C1.
- (2) A planned 8.43-acre multifamily site located at the northeast corner of Day Street and Alessandro Boulevard within the City of Moreno Valley approved as a maximum 225 unit multifamily development through an existing Disposition and Development Agreement approved on May 26, 2009.
- (3) The city owns the site, thus an expiration date is not applicable.


(e) *(Exception Site 5) Ben Clark Training Center*

- (1) Situated in Compatibility Zones C2 and D. This site specific exception is applicable to the portion of the property located within Zone C2.
- (2) An approximately 375-acre property located within unincorporated Riverside County deeded to the County by the U.S. Department of Defense as part of the 1996 instrument of transfer. Provisions of the transfer explicitly restrict use of the property to training of law enforcement and public safety personnel.
- (3) Notwithstanding the criteria set forth in Table MA-2, the following provisions shall apply to future development of the portions of Ben Clark Training Center situated within Compatibility Zone C2:
 - Future development of the property shall be consistent with the deed restrictions.
 - Any overnight occupancy of facilities must pertain to and be in furtherance of the function and purpose of the property as dictated by the property's deed restrictions.
 - Use of part of the property as an educational facility operated by the Riverside Community College District, Moreno Valley College, is permitted and not considered to be a "general college" provided that this use continues to be related to law enforcement and public safety training purposes.
 - Use of the property shall adhere to the average-acre intensity limit of 200 people per acre as established in Table MA-2. However, the single-acre intensity limit of Table MA-2 shall not apply.
 - New buildings shall be restricted to three (3) floors except that training towers or similar structures used specifically for the purpose of training law enforcement and public safety personnel may exceed this limit.
 - All other requirements applicable to Zone C2 as set forth in Table MA-2 shall continue to apply, including those pertaining to airspace review, electromagnetic radiation notification, and deed notice and disclosure.

(f) *(Exception Site 6) Ridge Crest Cardinal Subdivision, City of Riverside*

- (1) Situated in Compatibility Zone C2.

- (2) A 13.54-acre proposed single-family residential subdivision located east of Trautwein Road and north of Grove Community Avenue within the City of Riverside.
- (3) Notwithstanding the criteria set forth in Table MA-2, the following provisions shall apply to future development of this property:
 - An average-acre density of up to 6.5 dwelling units per acre (a maximum of 87 dwelling units) shall be allowed in lieu of the 6.0 dwelling units per acre set by Table MA-2.
 - Exception Site 6 is a portion of an area covered by a Development Agreement between the City of Riverside and The Grove Community Church recorded on November 26, 2003 as Instrument No. 2003-934365. The Development Agreement provided for a senior housing facility, elementary school, and preschool within the area where the Ridge Crest Cardinal subdivision is now proposed. Development of the proposed single-family residential subdivision would utilize the area previously proposed for these facilities and thereby reduce the potential number of vulnerable occupants at this location, in comparison to these entitled but unbuilt uses. The above allowance for up to 6.5 dwelling units per acre on the property is only applicable if these previously entitled uses are not constructed within the boundaries of Exception Site 6.

Zone	Locations	Density / Intensity Standards			Req'd Open Land	Additional Criteria	
		Residential (d.u./ac) ¹	Other Uses (people/ac) ²			Prohibited Uses ³	Other Development Conditions ⁴
			Average ⁵	Single Acre ⁶			
M	Military					> No ALUC authority	
A	Clear Zone ⁷	No new dwellings allowed	0	0	All Remaining	<ul style="list-style-type: none"> > All non-aeronautical structures > Assemblages of people > Objects exceeding FAR Part 77 height limits > All storage of hazardous materials > Hazards to flight ⁸ 	<ul style="list-style-type: none"> > Electromagnetic radiation notification ⁹ > Avigation easement dedication and disclosure ^{4,7}
B1	Inner Approach/Departure Zone	No new dwellings allowed ¹⁰	25 (APZ I) 50 (APZ II and outside APZs) ¹¹	100 100	Max. 50% lot coverage within APZs ¹²	<ul style="list-style-type: none"> > Children's schools, day care centers, libraries > Hospitals, congregate care facilities, hotels/motels, restaurants, places of assembly > Bldgs with >1 aboveground habitable floor in APZ I or >2 floors in APZ II and outside of APZs ¹³ > Hazardous materials manufacture/storage ¹⁴ > Noise sensitive outdoor nonresidential uses ¹⁵ > Critical community infrastructure facilities ¹⁶ > Hazards to flight ⁸ > Uses listed in AICUZ as not compatible in APZ I or APZ II ¹⁷ 	<ul style="list-style-type: none"> > Locate structures maximum distance from extended runway centerline > Sound attenuation as necessary to meet interior noise level criteria ¹⁸ > Zoned fire sprinkler systems required > Airspace review req'd for objects >35 ft. tall ¹⁹ > Electromagnetic radiation notification ⁹ > Avigation easement dedication and disclosure ⁴
B2	High Noise Zone	No new dwellings allowed ¹⁰	100	250	No Req't	<ul style="list-style-type: none"> > Children's schools, day care centers, libraries > Hospitals, congregate care facilities, hotels/motels, places of assembly > Bldgs with >3 aboveground habitable floors > Noise-sensitive outdoor nonresidential uses ¹⁵ > Critical community infrastructure facilities ¹⁶ > Hazards to flight ⁸ 	<ul style="list-style-type: none"> > Locate structures max. distance from runway > Sound attenuation as necessary to meet interior noise level criteria ¹⁸ > Aboveground bulk storage of hazardous materials discouraged ^{14,20} > Airspace review req'd for objects >35 ft. tall ¹⁹ > Electromagnetic radiation notification ⁹ > Avigation easement dedication and disclosure ⁴
C1	Primary Approach/Departure Zone	≤3.0	100	250	No Req't	<ul style="list-style-type: none"> > Children's schools, day care centers, libraries > Hospitals, congregate care facilities, places of assembly > Noise-sensitive outdoor nonresidential uses ¹⁵ > Hazards to flight ⁸ 	<ul style="list-style-type: none"> > Critical community infrastructure facilities discouraged ^{16,20} > Aboveground bulk storage of hazardous materials discouraged ^{14,20} > Sound attenuation as necessary to meet interior noise level criteria ¹⁸ > Airspace review req'd for objects >70 ft. tall ¹⁹ > Electromagnetic radiation notification ⁹ > Deed notice and disclosure ⁴
C2	Flight Corridor Zone	≤ 6.0	200	500	No Req't	<ul style="list-style-type: none"> > Highly noise-sensitive outdoor nonresidential uses ¹⁵ > Hazards to flight ⁸ 	<ul style="list-style-type: none"> > Children's schools discouraged ²⁰ > Airspace review req'd for objects >70 ft. tall ¹⁹ > Electromagnetic radiation notification ⁹ > Deed notice and disclosure ⁴
D	Flight Corridor Buffer	No Limit	No restriction ²¹	No	No Req't	<ul style="list-style-type: none"> > Hazards to flight ⁸ 	<ul style="list-style-type: none"> > Major spectator-oriented sports stadium, amphitheaters, concert halls discouraged ²¹ > Electromagnetic radiation notification ⁹ > Deed notice and disclosure ⁴
E	Other Airport Environs	No Limit	No Restriction ²¹	No	No Req't	<ul style="list-style-type: none"> > Hazards to flight ⁸ 	<ul style="list-style-type: none"> > Disclosure only ⁴
	High Terrain	Same as Underlying Compatibility Zone			Not Applicable	<ul style="list-style-type: none"> > Hazards to flight ⁸ > Other uses restricted in accordance with criteria for underlying zone 	<ul style="list-style-type: none"> > Airspace review req'd for objects >35 ft. tall ¹⁹ > Avigation easement dedication and disclosure ⁴

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Table MA-2

Basic Compatibility Criteria

March Air Reserve Base / Inland Port Airport

NOTES:

Policies referenced here are from the *Riverside County Airport Land Use Compatibility Plan* adopted by the Riverside County ALUC for other airports beginning in October 2004. The countywide policies are hereby incorporated into the *March ARB/IPA ALUCP* except as modified or supplemented by the policies in Section MA.2 of this chapter. A complete copy of the *Riverside County Airport Land Use Compatibility Plan* is available on the Riverside County Airport Land Use Commission website at www.rcaluc.org.

- ¹ Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre. Clustering of units is encouraged provided that the density is limited to no more than 4.0 times the allowable average density for the zone in which the development is proposed. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands. Mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development for the purposes of usage intensity calculations; that is, the occupants of the residential component must be included in calculating the overall number of occupants on the site. A residential component shall not be permitted as part of a mixed use development in zones where residential uses are indicated as incompatible. See Countywide Policy 3.1.3(d). All existing residential development, regardless of densities, is not subject to ALUC authority.
- ² Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside.
- ³ The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria. See *Riverside County Airport Land Use Compatibility Plan*, Volume 1, Appendix D for a full list of compatibility designations for specific land uses.
- ⁴ As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Countywide Policy 4.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required. Except within Zone A (Clear Zone), avigation easements are to be dedicated to the March Inland Port Airport Authority. See sample language in www.marchipa.com/docs_forms/avigationeasement.pdf. Any avigation easements required within Zone A shall be dedicated to the United States of America.
- ⁵ The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
- ⁶ Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Countywide Policy 4.2.5 for details.
- ⁷ Clear zone (equivalent to runway protection zone at civilian airports) limits that delineate Zone A are derived from locations indicated in the March Air Reserve Base AICUZ study. See Note 4 for avigation easement dedication requirements in this zone.
- ⁸ Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. Man-made features must be designed to avoid heightened attraction of birds. In Zones A, B1, and B2, flood control facilities should be designed to hold water for no more than 48 hours following a storm and be completely dry between storms (see FAA Advisory Circular 150/5200-33B). Additionally, certain farm crops and farming practices that tend to attract birds are strongly discouraged. These include: certain crops (e.g., rice, barley, oats, wheat – particularly durum – corn, sunflower, clover, berries, cherries, grapes, and apples); farming activities (e.g., tilling and harvesting); confined livestock operations (i.e., feedlots, dairy operations, hog or chicken production facilities, or egg-laying operations); and various farming practices (e.g., livestock feed, water, and manure). Fish production (i.e., catfish, trout) conducted outside of fully enclosed buildings may require mitigation measures (e.g., netting of outdoor ponds, providing covered structures) to prevent bird attraction. Also see Countywide Policy 4.3.7.
- ⁹ March ARB must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include microwave transmission in conjunction with a cellular tower, radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers and other similar EMR emissions.
- ¹⁰ Other than in Zone A, construction of a single-family home, including a second unit as defined by state law, on a legal lot of record is exempted from this restriction where such use is permitted by local land use regulations. Interior noise level standards and avigation easement requirements for the compatibility zone in which the dwelling is to be located are to be applied.
- ¹¹ Non-residential uses are limited to 25 people per gross acre in Accident Potential Zone (APZ) I and 50 people per acre in APZ II and elsewhere in Zone B1. Single-acre intensity limits are 100 people/acre throughout Zone B1.
- ¹² In APZ I, any proposed development having more than 20% lot coverage must not provide on-site services to the public. Zoned fire sprinklers are required. Also, in APZ I, site design of proposed development should to the extent possible avoid placement of buildings within 100 feet of the ex-

Table MA-2, continued

tended runway centerline; this center strip should be devoted to parking, landscaping, and outdoor storage. Maximum lot coverage is not limited outside the APZs.

- ¹³ Within APZ II and outside APZs, two-story buildings are allowed.
- ¹⁴ Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. In APZ I, manufacture or bulk storage of hazardous materials (toxic, explosive, corrosive) is prohibited unless storage is underground; small quantities of materials may be stored for use on site. In APZ II and elsewhere within Zone B1, aboveground storage of more than 6,000 gallons of nonaviation flammable materials per tank is prohibited. In Zones B2 and C1, aboveground storage of more than 6,000 gallons of hazardous or flammable materials per tank is discouraged.
- ¹⁵ Examples of noise-sensitive outdoor nonresidential uses that should be prohibited include major spectator-oriented sports stadiums, amphitheatres, concert halls and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
- ¹⁶ Critical community facilities include power plants, electrical substations, and public communications facilities. See Countywide Policy 4.2.3(d).
- ¹⁷ For properties in either APZ I or II, any use listed as "N – not compatible" for that particular APZ in Table 3-1 of the 2005 *Air Installation Compatible Use Zone Study for March Air Reserve Base*. Beyond the boundaries of the APZs in Zone B1, such uses are discouraged, but not necessarily prohibited unless otherwise specified herein.
- ¹⁸ All new residences, schools, libraries, museums, hotels and motels, hospitals and nursing homes, places of worship, and other noise-sensitive uses must have sound attenuation features incorporated into the structures sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 40 dB. This requirement is intended to reduce the disruptiveness of loud individual aircraft noise events upon uses in this zone and represents a higher standard than the CNEL 45 dB standard set by state and local regulations and countywide ALUC policy. Office space must have sound attenuation features sufficient to reduce the exterior aviation-related noise level to no more than CNEL 45 dB. To ensure compliance with these criteria, an acoustical study shall be required to be completed for any development proposed to be situated where the aviation-related noise exposure is more than 20 dB above the interior standard (e.g., within the CNEL 60 dB contour where the interior standard is CNEL 40 dB). Standard building construction is presumed to provide adequate sound attenuation where the difference between the exterior noise exposure and the interior standard is 20 dB or less.
- ¹⁹ This height criterion is for general guidance. Airspace review requirements are determined on a site-specific basis in accordance with Part 77 of the Federal Aviation Regulations. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not to be obstructions. The Federal Aviation Administration or California Department of Transportation Division of Aeronautics may require marking and/or lighting of certain objects. See Countywide Policies 4.3.4 and 4.3.6 for additional information.
- ²⁰ Discouraged uses should generally not be permitted unless no feasible alternative is available.
- ²¹ Although no explicit upper limit on usage intensity is defined for *Zone D and E*, land uses of the types listed—uses that attract very high concentrations of people in confined areas—are discouraged in locations below or near the principal arrival and departure flight tracks.

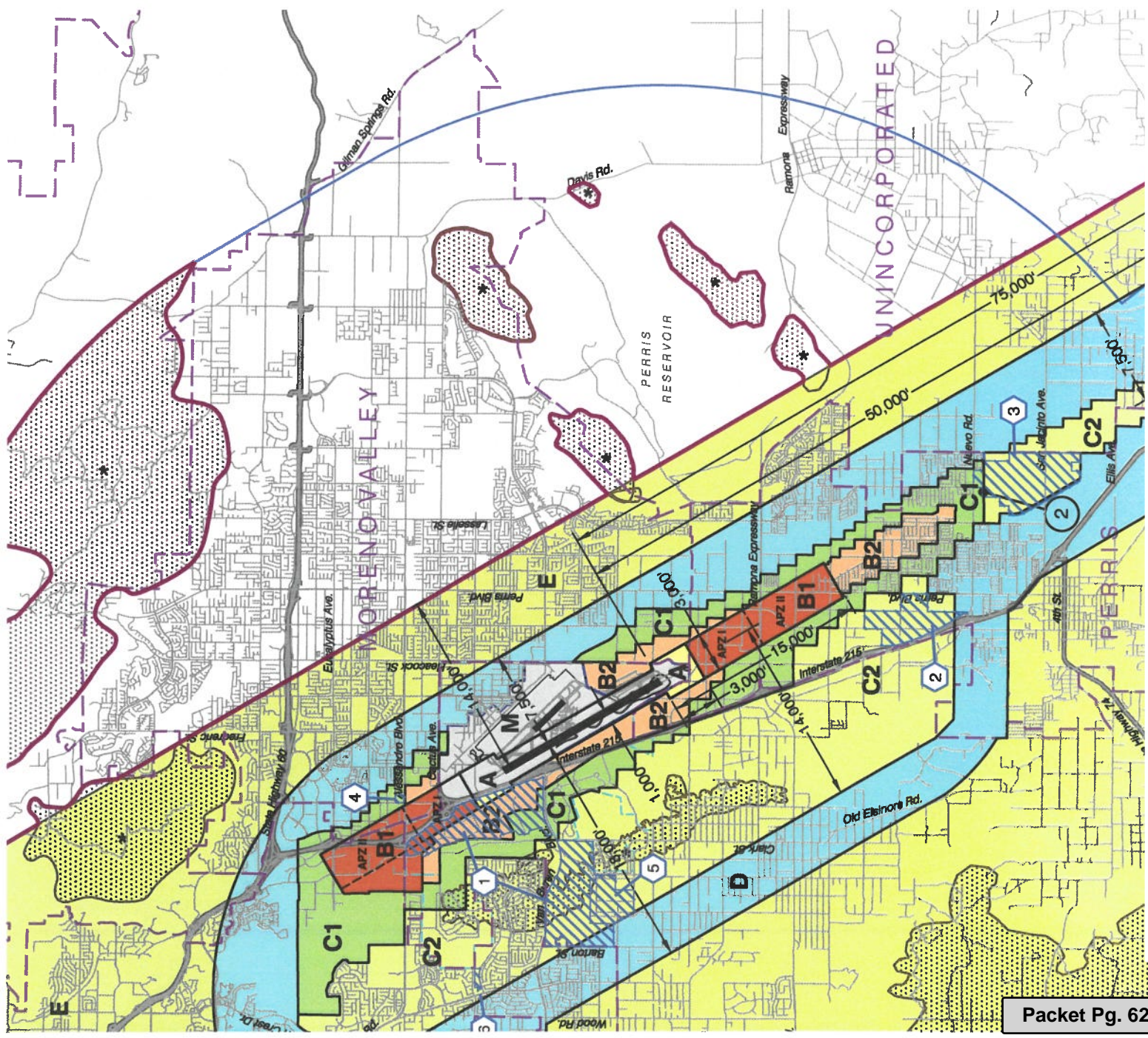
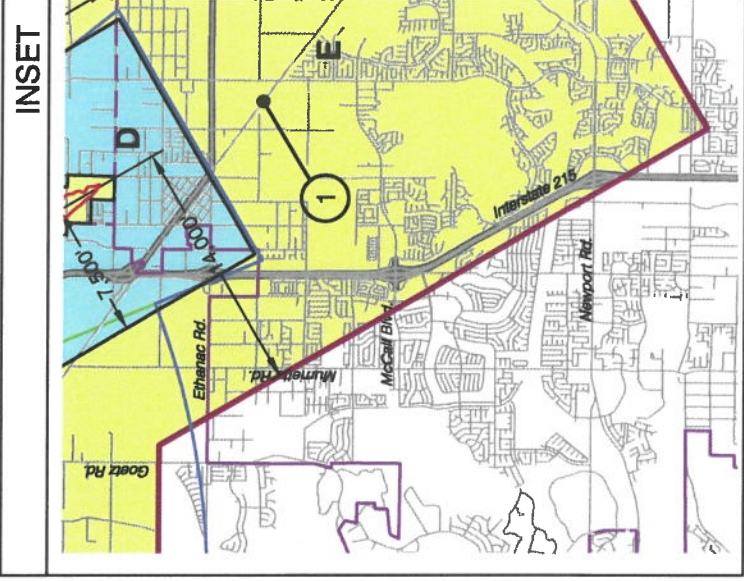
Table MA–2, continued

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Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- Airport influence area boundary
- Zone A
- Zone B1
- Zone B2
- Zone C1
- Zone C2
- Zone D
- Zone E
- Zone M
- High Terrain Zone
- FAR Part 77 Military Outer Horizontal Surface Limits
- FAR Part 77 Notification Area

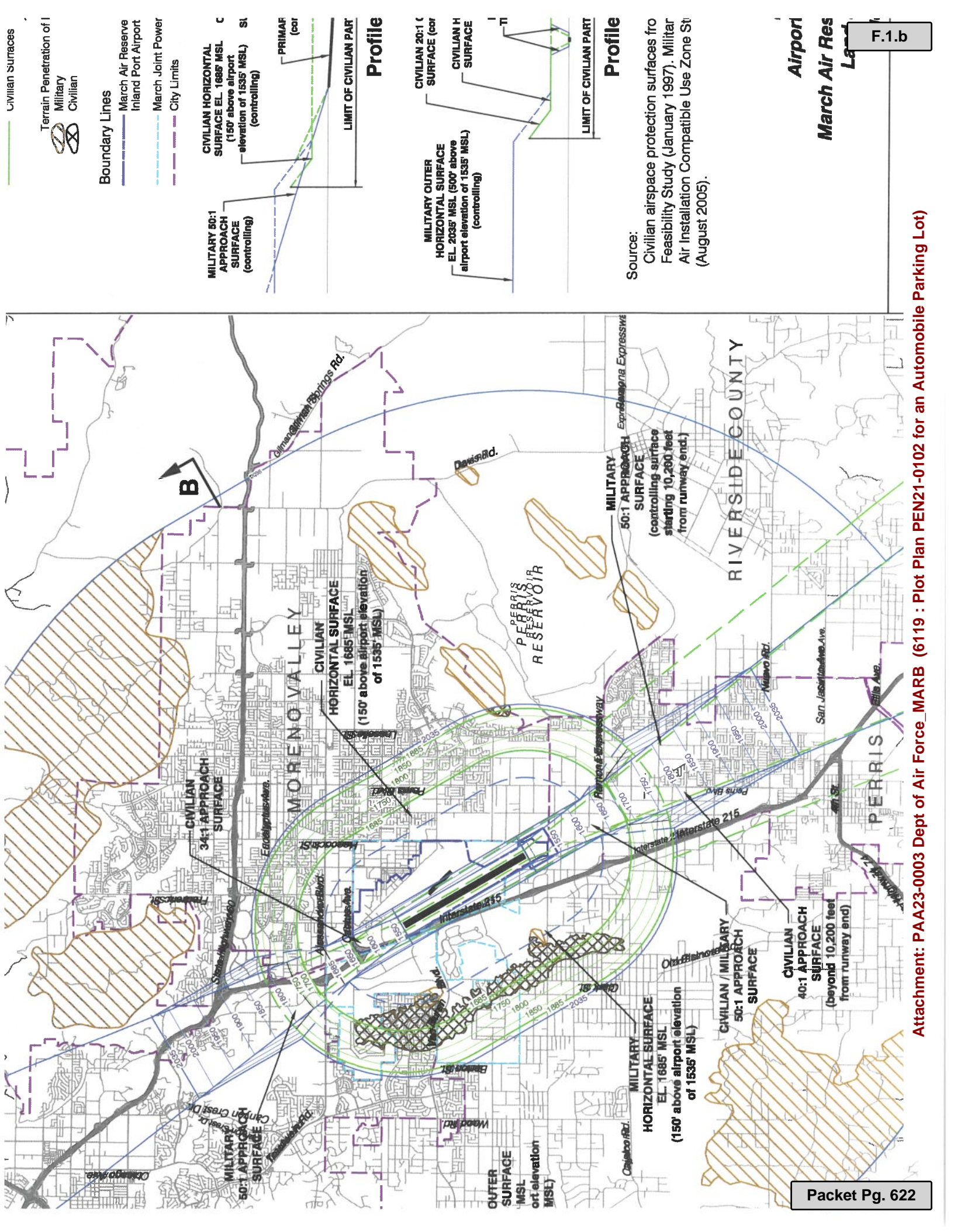
- ① Point at which aircraft on Runway 32 ILS approach descend below 3,000 feet above runway end. Airport Elevation is 1,535 feet MSL.
- ② Point at which departing aircraft typically reach 3,000 feet above runway end.



Airport
March Air Res
 F.1.b

Note:
 All dimensions are measured from runway ends and centerlines.

Attachment: PAA23-0003 Dept of Air Force_MARB (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



Civilian Surfaces
 Terrain Penetration of
 Military
 Civilian

Boundary Lines
 March Air Reserve
 Inland Port Airport
 March Joint Power
 City Limits

MILITARY 50:1 APPROACH SURFACE (controlling)
 CIVILIAN HORIZONTAL SURFACE EL. 1685' MSL (150' above airport elevation of 1535' MSL) (controlling)
 PRIMAF (controlling)
 LIMIT OF CIVILIAN PART

Profile
 CIVILIAN 20:1 SURFACE (controlling)
 CIVILIAN H SURFACE (controlling)
 LIMIT OF CIVILIAN PART

Profile
 Source:
 Civilian airspace protection surfaces from Feasibility Study (January 1997). Military Air Installation Compatible Use Zone Study (August 2005).

Airport
March Air Reserve
Land
 F.1.b

RESOLUTION NUMBER 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING APPEALS (PAA22-0005) AND (PAA23-0003) AND UPHOLDING THE PLANNING COMMISSION'S ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR PLOT PLAN PEN21-0102 FOR THE PROPOSED AUTOMOBILE PARKING LOT LOCATED ON THE EAST SIDE OF HEACOCK STREET NORTH OF THE PERRIS VALLEY STORM DRAIN (APN 316-211-014)

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA)¹ and CEQA Guidelines; and

WHEREAS, Lawrence Family Trust ("Applicant") submitted an application for a Plot Plan (PEN21-0102) to develop an automobile parking lot and certain public improvements on 9.14-acres ("Proposed Project") which is currently vacant and unimproved and located on the east side of Heacock Street north of the Perris Valley Storm Drain (APN 316-211-014) ("Project Site"); and

WHEREAS, Planning Division Staff completed an Initial Study (environmental assessment) for the Proposed Project and based on the assessment, recommended the adoption of a Mitigated Negative Declaration ("MND") and a Mitigated Monitoring and Reporting Program ("MMRP") in accordance with Section 6 (Negative Declaration Procedures) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act (CEQA) and the requirements of the CEQA Guidelines Sections 15070 – 15075; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 20 days commencing on September 29, 2022, through October 18, 2022; and

WHEREAS, in compliance with CEQA and the CEQA Guidelines, a Mitigation Monitoring and Reporting Program ("MMRP"), which is a program for monitoring and reporting on the Proposed Project's mitigation measures, was prepared for the Proposed Project and circulated with the MND; and

WHEREAS, a duly noticed public hearing was initially scheduled by the Planning Commission on October 27, 2022, which was continued at the Applicant's request to December 22, 2022; and

¹ Public Resources Code §§ 21000-21177

WHEREAS, on December 22, 2022, a duly noticed continued public hearing was conducted by the Planning Commission to consider the Proposed Project’s MND, the MMRP, and the Proposed Project, at which time the Planning Commission considered the Initial Study, MND, and the MMRP, together with any comments received during and prior to the public review process; and

WHEREAS, at the conclusion of the December 22, 2022, continued public hearing, in the exercise of its own independent judgment, the Planning Commission determined by a 5-0-1 vote to approve the Proposed Project after it determined that the MND and the MMRP prepared for the Proposed Project would reduce the environmental impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation of an environmental impact report; and

WHEREAS, on December 29, 2022, and January 3, 2023, the County of Riverside (PAA22-0005) and the Department of the Air Force (PAA23-0003) appealed the Planning Commission’s decision; and

WHEREAS, on February 21, 2023, a duly noticed appeal hearing was conducted by the City Council to consider the two appeals; and

WHEREAS, at the conclusion of the appeal hearing, the City Council denied the appeals which upholds the Planning Commission’s decision to adopt the MND and MMRP prepared for the Proposed Project based on the findings that the Planning Commission committed no error in deciding to adopt the subject MND and MMRP for the Proposed Project and reaffirmed, based on the exercise of its own independent judgment, that the MND and MMRP will reduce the environmental impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment in a manner that otherwise would require the preparation and verification of an Environmental Impact Report.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Evidence

That the City Council has considered all the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

Attachment: 2023-XX_Resolution IS-MND [Revision 1] (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- a. Mitigated Negative Declaration/Initial Study prepared for the Proposed Project, attached hereto as Exhibit A;
- b. Notice of Intent to Adopt an MND/Newspaper Notice, attached hereto as Exhibit B;
- c. MMRP, attached hereto as Exhibit C;
- d. Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- e. Testimony, comments, and correspondence from all persons that were provided at, or prior to, the December 22, 2022, Planning Commission's continued public hearing;
- f. Appeals PAA22-0005 and PAA23-0003;
- g. Staff Report prepared for the City Council's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing; and
- h. Testimony, comments, and correspondence from all persons that were provided at, or prior to, the City Council February 21, 2023, appeal hearing; and
- i. Proposed conditions of approval for the Proposed Project.

Section 3. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council makes the following findings:

- a. That the MND and MMRP have been completed in compliance with CEQA and the CEQA Guidelines consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- b. That the MND and MMRP are adequate to serve as the required CEQA environmental documentation for the proposed Project;
- c. That the Planning Commission properly determined that all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation and certification of an Environmental Impact Report;
- d. That the MND and MMRP reflect both the independent judgment and analysis of the Planning Commission and the City.

Section 4. Denial of Appeals

That based on the foregoing Recitals, Evidence contained in the Administrative Record, and Findings, as set forth herein, the City Council hereby denies both Appeals, PAA22-0005, and PAA23-0003, and upholds the Planning Commission's decision to adopt the MND and MMRP prepared for the Proposed Project based on the findings that the Planning Commission committed no error in deciding to adopt the subject MND and MMRP for the Proposed Project and reaffirmed, based on the exercise of its own independent judgment, that the MND and MMRP will reduce the environmental impacts

of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment in a manner that otherwise would require the preparation and verification of an Environmental Impact Report.

Section 5. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 6. 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 7. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 8. Certification

That the City Clerk for the City Council shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 21nd day of February 2023, by the City Council of the City of Moreno Valley.

Ulises Cabrera,
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

- Exhibit A: Initial Study/Mitigated Negative Declaration
- Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration / Newspaper Notice
- Exhibit C: Mitigation Monitoring Plan

Exhibit A

INITIAL STUDY/MITIGATION NEGATIVE DECLARATION

Attachment: 2023-XX_Resolution IS-MND [Revision 1] (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Exhibit B

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION /
NEWSPAPER NOTICE**

Attachment: 2023-XX_Resolution IS-MND [Revision 1] (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Exhibit C

MITIGATION MONITORING AND REPORTING PROGRAM

Attachment: 2023-XX_Resolution IS-MND [Revision 1] (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



CITY OF MORENO VALLEY

MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT



Source: ESRI, County of Riverside, City of Moreno Valley

**HEACOCK STREET AND PERRIS VALLEY STORM DRAIN
PEN21-0102, PEN21-0103, LST22-0011, LST21-0041, LWQ21-0028**

September 27, 2022

**Lead Agency
CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92552**

**Prepared By
CASC ENGINEERING AND CONSULTING, INC.**



1470 E. Cooley Dr.
Colton, CA 92324
(909) 783-0101 Ext. 5370

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

Project Description:

Lawrence Family Trust (“Applicant”) proposes to construct the Heacock Logistics Parking Lot (“Project”) which will be used for automobile parking on 9.14 acres located at the northeast corner of Heacock Street and the Perris Valley Storm Drain in the City of Moreno Valley (“City”) as illustrated in *Figure 1-1, Regional Vicinity Map and Figure 1-2, Aerial Imagery*.

The Project site is located in the southwestern portion of the Moreno Valley Industrial Area Plan (Specific Plan 208) designated as Clear Zone (CZ). The Specific Plan was originally approved by the City on June 27, 1989. The property consists of one (1) parcel (APN: 316-211-014). Specific Plan 208 was developed for the purpose of increasing flexibility in accommodating economic development opportunities and support uses (Specific Plan, p. I-3). Notably, the specific plan identifies roads, agriculture, automobile parking and open space as compatible land uses within the Clear Zone (SP, p.III-3).

The Project site is generally flat and vacant. Surrounding land uses include the March Air Reserve Base (MARB) to the northwest; industrial uses and vacant land to the north and east; and the Perris Valley Storm Drain to the south. The Project site is currently designated as Open Space per the City’s General Plan Update (June 15, 2021) as illustrated in *Figure 1-3, General Plan Land Use Map*. Per the City’s Zoning Map dated January 22, 2020, the Project site is designated as SP 208 CZ, see *Figure 1-4, Zoning Map*. Although the March 3, 2022, Zoning Map update does not explicitly identify the Project site as SP 208 CZ, the Specific Plan 208 boundary has not changed. Therefore, the Project site remains within SP 208 and is designated as CZ. SP 208 (Moreno Valley Industrial Area Plan) designates the site as Clear Zone (CZ) with land uses restricted to open space, agricultural, automobile parking, and roads. The Project site is located within Zone A (Clear Zone) of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan adopted by the Riverside County Airport Land Use Commission (ALUC). Zone A prohibits non-aeronautical structures, assemblage of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. There will be no structures, no assemblage of people, no objects exceeding FAA height limit, and no storage of hazardous materials on the Project site.

The Project includes a parking lot designed with 12’ x 30’ parking stalls for automobile parking as illustrated in *Figure 1-5 Site Plan*. Although the proposed Site Plan identifies 194 parking stalls, the Traffic Impact Analysis (TIA) dated May 19, 2022, prepared for the Project analyzed up to 440 automobiles. Thus, the analysis in this IS/MND assumes up to 440 automobiles parked at the site.

The Project will also include tubular steel fencing along the Heacock frontage with security coated chain-link fencing along the north, south and east perimeter of the site conforming to City standards restricting access onto the site. Access to the parking lot is proposed via a gated, full-access driveway off Heacock Street. There will be no personnel stationed at the site with the exception of up to two employees routinely checking the site throughout the day and night for security purposes. The Project hours of operation will be twenty-four (24) hours a day/seven (7) days a week. Up to twelve (12) shuttles a day will drive and pick-up drivers who have dropped off the automobiles and/or are picking up automobiles at the parking lot. Entrance into the lot will be gated and drivers will be required to use a card-key and/or access code to enter and exit the



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

lot. There are no structures proposed on the site. Bollards will be installed throughout the parking lot to provide lighting at night. Landscaping along the Project perimeter will consist of low-profile ground cover with shrubs and bushes.

A 10-foot setback is proposed along the perimeter of the Project site to the north, east, and south and a 15-foot landscaped setback is proposed along Heacock Street. The Project proposes a 24-foot access easement along the northern property boundary to allow access to the landlocked parcel directly east of the Project site.

Project Location:

East of Heacock Street and north of the Perris Valley Storm Drain. Assessor Parcel Number (APN): 316-211-014.

Project Proponent:

Lawrence Family Trust
P.O. Box 7200
Beverly Hills, CA 90212

Findings:

It is hereby determined that, based on the information contained in the attached Initial Study, the project would clearly not have a significant adverse effect on the environment.

Mitigation Measures:

No.	Mitigation Measure
AQ-1	<p>During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventative measures using the following procedures, as specified in SCAQMD Rule 403:</p> <ul style="list-style-type: none"> • Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. • Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. • Indicate these control techniques in project specifications. Compliance with the measure will be subject to the City. • Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible. • All trucks hauling dirt, sand, soils, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

	<ul style="list-style-type: none"> Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin.
<p>BIO-1</p>	<p>Burrowing Owls A 30-day preconstruction Burrowing Owl Survey shall be performed by a qualified biologist recognized by the County of Riverside. The Applicant must provide documentation to the City confirming the “qualified” status of the biologist. The Burrowing Owl Survey results must be provided to the City prior to the issuance of a grading permit. After the survey, a technical memorandum of findings shall be prepared and sent to the California Department of Fish and Wildlife (CDFW), Environmental Programs Department (EPD) at the County of Riverside, and the Regional Conservation Authority.</p> <p>If the Project site is found positive for burrowing owl, coordination with CDFW will be mandatory and additional exclusionary and relocation efforts will be necessary.</p>
<p>CR-1</p>	<p>Archeological Monitoring Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>
<p>CR-2</p>	<p>Native American Monitoring Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseno Indians and Soboba Bank of Luiseno Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days’ advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

CR-3	<p>Cultural Resource Monitoring Plan (CRMP)</p> <p>The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ol style="list-style-type: none"> a. Project description and location b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the Project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project;
CR-4	<p>Cultural Resource Disposition</p> <p>In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ol style="list-style-type: none"> a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ol style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the

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MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

	<p style="text-align: center;">Consulting Native American Tribal Governments prior to certification of the environmental document.</p> <p>The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>
<p>CR-5</p>	<p>Inadvertent Finds</p> <p>If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>
<p>CR-6</p>	<p>Human Remains</p> <p>If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>
<p>CR-7</p>	<p>Non-Disclosure of Reburial Locations</p> <p>It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be</p>

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MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

	disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
CR-8	<p>Archeology Report - Phase III and IV</p> <p>Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>
HYD-1	The City's Municipal Separate Storm Sewer System (MS4) requires development projects to prepare and submit to the City for approval a site-specific Storm Pollution Prevention Plan (SWPPP) prior to the issuance of a grading permit. The Applicant shall adhere to and comply with the requirements noted in the respective project specific SWPPP for the duration of project-related activities.
HYD-2	The Applicant shall adhere to and comply with requirements noted in the City approved, project specific Water Quality Management Plan (WQMP) for the duration of project-related activities.

Attachments:

1. Initial Study

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

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- Appendix B Burrowing Owl Focused Survey Report (June 16, 2021)
- Appendix C Cultural Report (September 25, 2021)
- Appendix D Paleontological Report (September 27, 2021)
- Appendix E Geotechnical Investigation and Percolation Test Results (March 18, 2021)
- Appendix F EDR Radius Map (October 6, 2021)
- Appendix G Preliminary Drainage Analysis for Proposed Heacock Logistics Parking Lot (April 2022)
- Appendix H Preliminary Water Quality Maintenance Plan (WQMP) (April 18, 2022)
- Appendix I Traffic Impact Analysis (May 19, 2022)

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

CHAPTER ONE – ENVIRONMENTAL CHECKLIST

1.1 Project Summary

1. Project Title: Heacock Logistics Parking Lot Project

2. Lead Agency Name and Address:

City of Moreno Valley
Community Development Department, Planning Division
14177 Frederick Street, Moreno Valley, CA 92552

3. Contact Person and Phone Number:

Julia Descoteaux, Senior Planner, Community Development, City of Moreno Valley
(951) 413-3209

4. Project Location: East of Heacock Street and north of the Perris Valley Storm Drain.
Assessor Parcel Number (APN): 316-211-014

5. Project Applicant's Name and Address:

Lawrence Family Trust
P.O. Box 7200, Beverly Hills, CA 90212

6. General Plan Designation: Open Space

7. Zoning Designation: Specific Plan 208 CZ

8. Project Description: Lawrence Family Trust ("Applicant") proposes to construct the Heacock Logistics Parking Lot ("Project") which will be used for automobile parking on 9.14 acres located at the northeast corner of Heacock Street and the Perris Valley Storm Drain in the City of Moreno Valley ("City") as illustrated in *Figure 1-1, Regional Vicinity Map* and *Figure 1-2, Aerial Imagery*.

The Project site is located in the southwestern portion of the Moreno Valley Industrial Area Plan (Specific Plan 208) designated as Clear Zone (CZ). The Specific Plan was originally approved by the City on June 27, 1989. The property consists of one (1) parcel (APN: 316-211-014). Specific Plan 208 was developed for the purpose of increasing flexibility in accommodating economic development opportunities and support uses (Specific Plan, p. I-3). Notably, the specific plan identifies roads, agriculture, automobile parking and open space as compatible land uses within the Clear Zone (SP, p.III-3).

The Project site is generally flat, unimproved and vacant. Surrounding land uses include the March Air Reserve Base (MARB) to the northwest; industrial uses and vacant land to the north and east; and the Perris Valley Storm Drain to the south. The Project site is currently designated as Open Space per the City's General Plan Update (June 15, 2021) as illustrated in *Figure 1-3, General Plan Land Use Map*. Per the City's Zoning Map dated January 22, 2020, the Project site is designated as SP 208 CZ, see *Figure 1-4, Zoning Map*. Although the March 3, 2022,



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

Zoning Map update does not explicitly identify the Project site as SP 208 CZ, the Specific Plan 208 boundary has not changed. Therefore, the Project site remains within SP 208 and is designated as CZ. SP 208 (Moreno Valley Industrial Area Plan) designates the site as Clear Zone (CZ) with land uses restricted to open space, agricultural, automobile parking, and roads. The Project site is located within Zone A (Clear Zone) of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan adopted by the Riverside County Airport Land Use Commission (ALUC). Zone A prohibits non-aeronautical structures, assemblage of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. There will be no structures, no assemblage of people, no objects exceeding FAA height limit, and no storage of hazardous materials on the Project site.

The Project includes a parking lot designed with 12' x 30' parking stalls for automobile parking as illustrated in Figure 1-5 Site Plan. Although the proposed Site Plan identifies 194 parking stalls, the Traffic Impact Analysis (TIA) dated May 19, 2022 prepared for the Project analyzed up to 440 automobiles. Thus, the analysis in this IS/MND assumes up to 440 automobiles parked at the site.

The Project will also include tubular steel fencing along the Heacock frontage with security coated chain-link fencing along the north, south and east perimeter of the site conforming to City standards restricting access onto the site. Access to the parking lot is proposed via a gated, full-access driveway off Heacock Street. There will be no personnel stationed at the site with the exception of up to two employees routinely checking the site throughout the day and night for security purposes. The Project hours of operation will be twenty-four (24) hours a day/seven (7) days a week. Up to twelve (12) shuttles a day will drive and pick-up drivers who have dropped off the automobiles and/or are picking up automobiles at the parking lot. Entrance into the lot will be gated and drivers will be required to use a card-key and/or access code to enter and exit the lot. There are no structures proposed on the site. Bollards will be installed throughout the parking lot to provide lighting at night. Landscaping along the Project perimeter will consist of low-profile ground cover with shrubs and bushes.

A 10-foot setback is proposed along the perimeter of the Project site to the north, east, and south and a 15-foot landscaped setback is proposed along Heacock Street. The Project proposes a 24-foot access easement along the northern property boundary to allow access to the landlocked parcel directly east of the Project site.

9. Surrounding Land Uses and Setting: The Project site is designated as Open Space per the City's General Plan and is zoned as SP 208 CZ per the City's Zoning Map (*see Figures 1-3, General Plan Land Use Map and 1-4 Zoning Map*). Immediate surroundings include industrial uses zoned as SP 208 CZ and SP 208 I (Industrial) to the north and the east, March Air Reserve Base to the northwest, and the Perris Valley Storm Drain to the south.

North: The Project site is bound by a vacant parcel zoned as SP 208 CZ and the March Air Reserve Base (MARB).

South: The Project site is bound by the Perris Valley Storm Drain.



MITIGATED NEGATIVE DECLARATION FOR HEACOCK LOGISTICS PARKING LOT

East: The Project site is bound by a vacant parcel zoned as SP 208 CZ.

West: MARB.

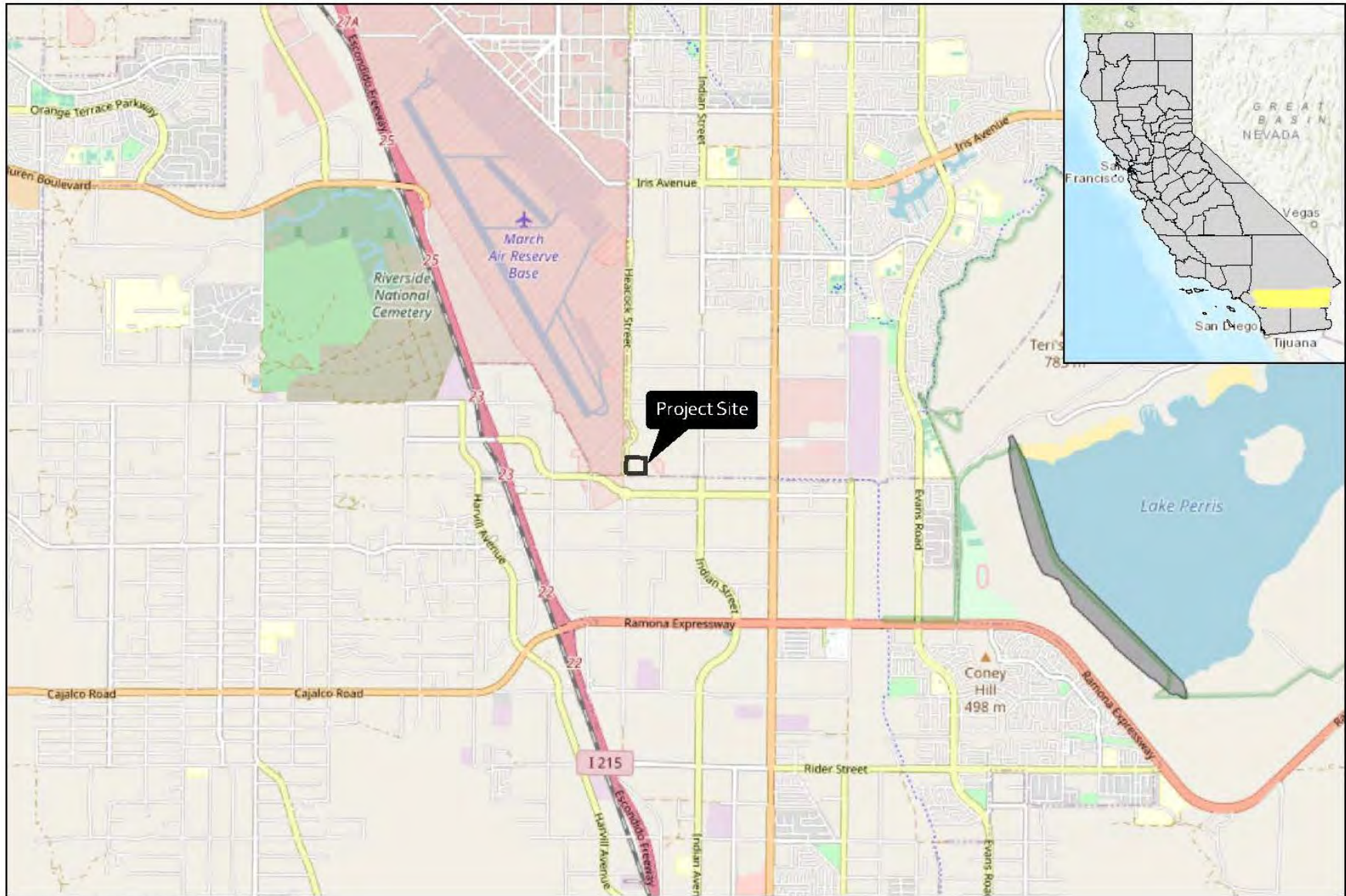
10. Other Public Agencies Whose Approval is Required (e.g. permits, financing approval, or participation agreement):

None.

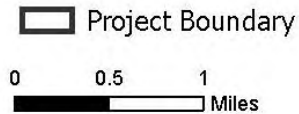
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City, Lead Agency, has initiated the AB 52 process with Agua Caliente Band of Cahuilla Indians, Pechanga Band of Luiseño Indians, Soboba Band of Luiseño Indians, and Rincon Band of Luiseño Indians. Consultation pursuant to AB 52 has been closed with each of the Tribal Governments.

FIGURE 1-1: REGIONAL VICINITY MAP



Source: ESRI, County of Riverside, City of Moreno Valley



Project Boundary

Figure 1-1: Regional Vicinity

HEACOCK LOGISTICS - CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE

FIGURE 1-2: AERIAL IMAGERY MAP



Source: ESRI, County of Riverside, City of Moreno Valley

CASC
Engineering and Consulting

N

0 250 500 1,000 Feet

Project Boundary

Figure 1-2: Aerial Map
HEACOCK LOGISTICS - CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE

FIGURE 1-3: GENERAL PLAN LAND USE MAP



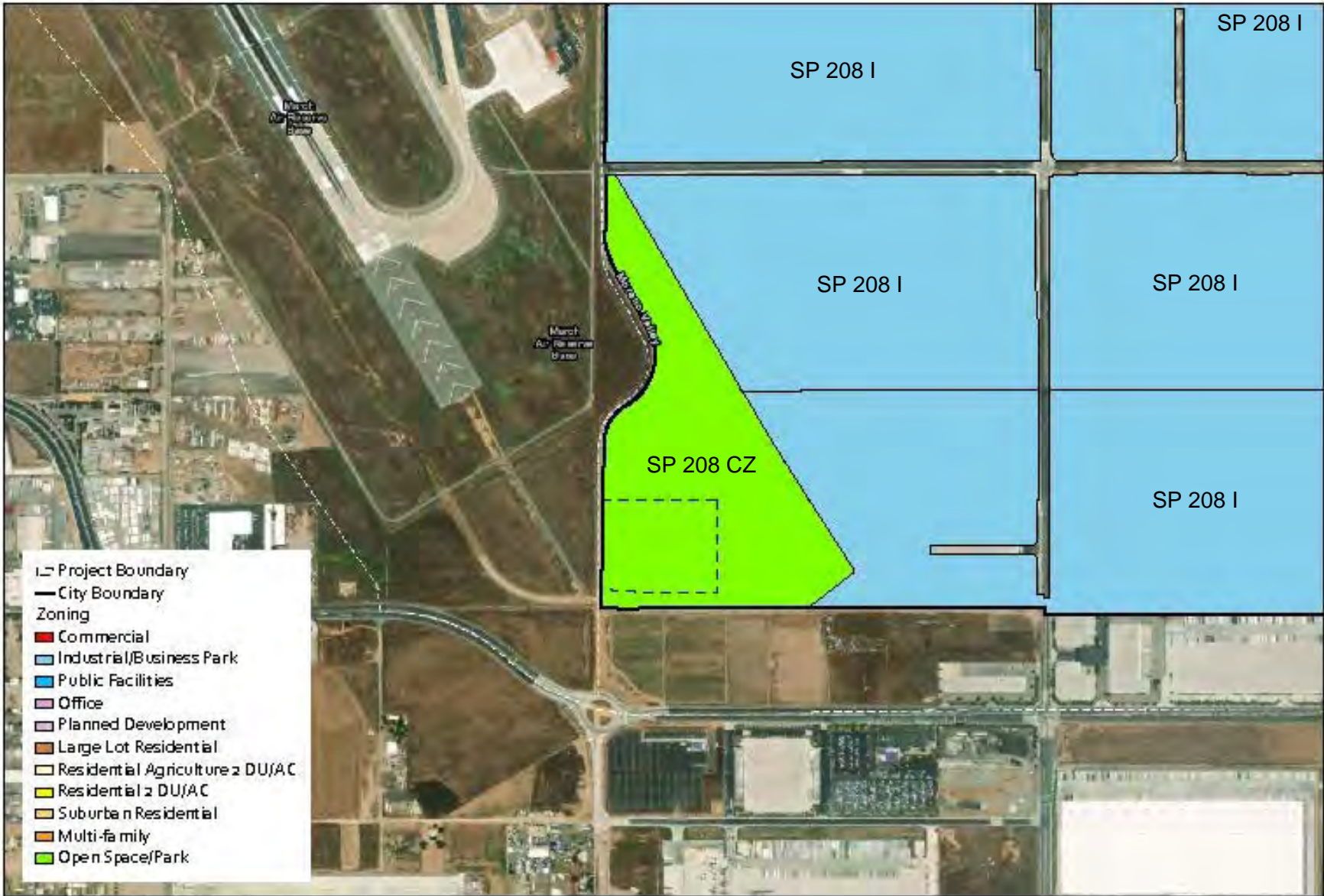
Source: ESRI, County of Riverside, City of Moreno Valley



0 0.25 0.5 Miles

Figure 1-3: General Plan Land Use Designation
HEACOCK LOGISTICS - CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE

FIGURE 1-4: ZONING MAP

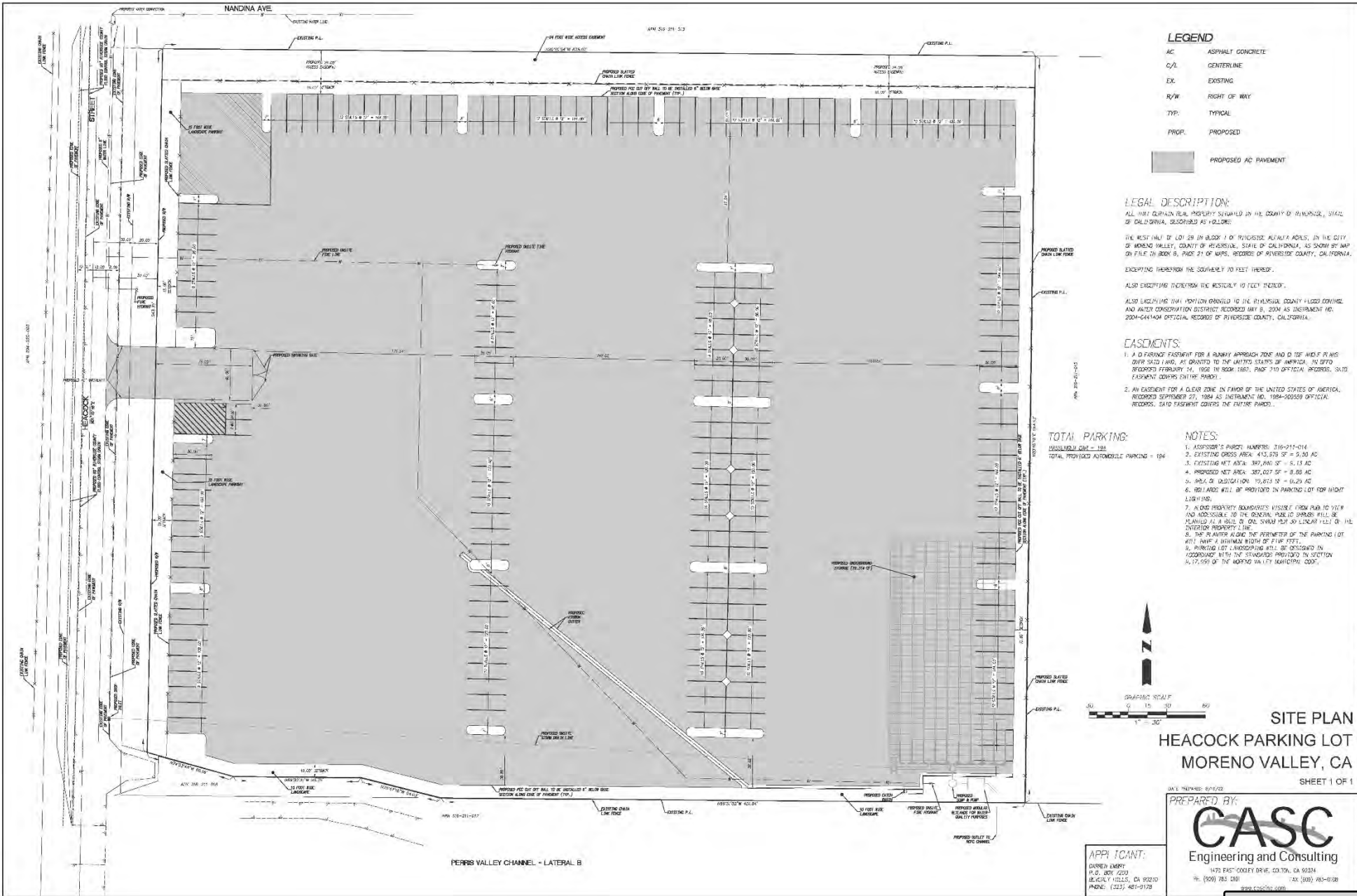


Source: ESRI, County of Riverside, City of Moreno Valley



Figure 1-4: Zoning
HEACOCK LOGISTICS - CITY OF
MORENO VALLEY, COUNTY OF RIVERSIDE

FIGURE 1-5: SITE PLAN



Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for

1.2 Environmental Factors Potentially Affected


The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact."

<input type="checkbox"/>	<u>Aesthetics</u>	<input type="checkbox"/>	<u>Agriculture and Forestry Resources</u>	<input type="checkbox"/>	<u>Air Quality</u>
<input type="checkbox"/>	<u>Biological Resources</u>	<input type="checkbox"/>	<u>Cultural Resources</u>	<input type="checkbox"/>	<u>Geology/Soils</u>
<input type="checkbox"/>	<u>Greenhouse Gas Emissions</u>	<input type="checkbox"/>	<u>Energy</u>	<input type="checkbox"/>	<u>Hydrology/Water Quality</u>
<input type="checkbox"/>	<u>Land Use/Planning</u>	<input type="checkbox"/>	<u>Hazards & Hazardous Materials</u>	<input type="checkbox"/>	<u>Noise</u>
<input type="checkbox"/>	<u>Population/Housing</u>	<input type="checkbox"/>	<u>Mineral Resources</u>	<input type="checkbox"/>	<u>Recreation</u>
<input type="checkbox"/>	<u>Transportation/Traffic</u>	<input type="checkbox"/>	<u>Public Services</u>	<input type="checkbox"/>	<u>Utilities/Service Systems</u>
<input type="checkbox"/>	<u>Mandatory Findings of Significance</u>	<input type="checkbox"/>	<u>Tribal Cultural Resources</u>	<input type="checkbox"/>	<u>Wildfire</u>

1.3 Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



 Julia Descoteaux
 Senior Planner

9/27/2022
 Date

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

1.4 Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the Project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g. the Project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant Impact with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant Impact with Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats;

however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significant.

CHAPTER TWO – INITIAL STUDY CHECKLIST AND SUBSTANTIATION

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10 – Open Space & Resource Conservation
 - Map OSRC-3: Scenic Resources and Ridgelines
2. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
 - General Design Guidelines, Section 4, Lighting, Page III-19
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.110 – Light and Glare of the Moreno Valley Municipal Code.
 - Chapter 9.16 – Design Guidelines
4. California Department of Transportation, 2018. List of eligible and officially designated State Scenic Highways. 2018. Available on-line at:
<http://www.dot.ca.gov/design/lap/livability/scenic-highways/2017-03DesigandEligible.xlsx>

Discussion of Impacts

- a) Have a substantial adverse effect on a scenic vista?

Less than Significant Impact: The Project site is located within the southwestern portion of the City, adjacent to the March Air Reserve Base (see Figure 1-1, Regional Vicinity Map). The nearest major scenic resource is the Russel Mountain range which is located over two miles northeast of the Project site. According to General Plan Map OSRC-3:

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Scenic Resources and Ridgelines, the Project site is not located within the view corridor for Russel Mountains (City of Moreno Valley, 2021, p. 10-11). While outside of the view corridor for the Russell Mountain range, some views are available from the Project site, however, these views are not considered to be distinct and prominent due to the intervening development and their distance and orientation in relation to the Project site. Within the vicinity of the Project site is vacant land, light industrial uses, and March Air Reserve Base. The major scenic resources within the Moreno Valley study area are visible from State Route 60 and Moreno Beach Drive. The Project site is approximately 6 miles south of the State Route 60 and Moreno Beach Drive interchange, and the view is buffered by urban development. Accordingly, implementation of the proposed Project would not have a substantial adverse effect on a scenic vista. Thus, less than significant impacts would occur.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact: The Project site is located along the east side of Heacock Street and along the northside of the Perris Valley Storm Drain. The Project site is not located within or adjacent to a scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings, or historic buildings. The property is vacant and disturbed (i.e. disked), therefore, the property does not contain any scenic resources. There are no State-designated or eligible scenic highways within the vicinity of the Project site (CalTrans, 2017). The Project site is located approximately 5.5 miles south of State Route 60, which the City's General Plan identifies as a "Scenic Route" (City of Moreno Valley, 2021). The Project includes 194 automobile parking stalls with fencing around the perimeter. Fencing would not be significantly visible from either highway due to intervening development and distance between the scenic route and the Project site. Accordingly, the Project site is not located within a state scenic highway corridor and implementation of the proposed Project would not have a substantial effect on scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway corridor. Thus, a less than significant impact would occur.

- c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact: Construction of the Project would result in the visual conversion of the site from vacant land to 194 parking stalls for automobiles with fencing around the perimeter. The Project would be compatible with the size, scale, and aesthetic qualities of other parking lots constructed in the City and would be required to comply with the applicable development standards and design guidelines contained in the Moreno Valley Zoning Ordinance. The Project does not conflict with applicable zoning and other regulations governing scenic quality. The proposed Project will be subject to conformance with design guidelines and criteria after approval to create a synchronous visual character with the surroundings. Therefore, implementation of the proposed Project would not have

a substantial adverse effect on a scenic vista, and a less than significant impact would occur.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact: Excessive or inappropriately directed lighting can adversely impact night-time views by reducing the ability to see the night sky and stars. Glare can be caused from unshielded or misdirected lighting sources, as well as reflective surfaces. The City of Moreno Valley Municipal Code Section 9.16.280 includes design standards for outdoor lighting that apply to all development in the City (City of Moreno Valley, 2017). The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances (e.g., blinking/flashing lights, unusually high intensity, or needlessly bright lighting). Although the proposed Project would be required to adhere to the applicable requirements of the City of Moreno Valley Municipal Code, the proposed Project would introduce new sources of light at the developed Project site, including parking and security lighting with the installation of bollards for night lighting. Project lighting will be bollards since the site is located within the Airport Land Use Compatibility Plan Zone A (Clear Zone). As described in the Moreno Valley Industrial Area Plan, “the use of ‘full cut off’ fixtures shall be used adjacent to the MARB/MIP to reduce nighttime glare towards the flight line” (City of Moreno Valley, 2002). The additional light sources on site due to the Project are not anticipated to be substantial enough, with the installation of bollards instead of standard light fixtures, to adversely affect day or nighttime views in the area. Thus, a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. Agricultural Resources – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to the information compiled by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land, including the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10 – Open Space & Resource Conservation
 - Map OSRC-1: Regional Open Space and Trails
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.2 – Agriculture and Forestry Resources
 - Figure 4.2-1 FMMP Important Farmlands
3. California Department of Conservation (CDC), California Important Farmland Finder (CIFF), 2016
4. Heacock Parking EDR report #6691976.11, Environmental Data Resources, Inc., October 6, 2021.

Discussion of Impacts

- a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?

Less than Significant Impact: The California Department of Conservation’s (CDC) Farmland Mapping and Monitoring Program (FMMP) identifies and maps significant farmland. Farmland is classified using a system of five categories including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance or Potential, and Grazing Land. The classification of farmland is determined by a soil survey conducted by the Natural Resources Conservations Service (NRCS) which analyses the suitability of soils for agricultural production.

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Based on the Important Farmland Finder, an interactive GIS application, the Project site is classified as “Prime Farmland” (CDC, 2018; City of Moreno Valley, 2021). Therefore, the proposed Project would convert Prime Farmland to non-agricultural use. However, the Project’s underlying zoning, Moreno Industrial Area SP 208 CZ, allows land uses restricted to open space, agricultural, automobile parking, and roads. The property is currently vacant and is not used for agricultural uses. Furthermore, Policy OSRC.1-6 of the 2021 General Plan Update states that “[w]here agriculture exists within the City limits, allow uses to continue until urban development occurs on these properties and support appropriate commercial activities (i.e. horse stables, agri-tourism) in rural areas in and around Moreno Valley” (City of Moreno Valley, 2021). Thus, the Project is consistent with the policies of the General Plan and is projected in future buildout of the City.

An Environmental Data Resources (EDR) report produced aerial imagery dating back to 1938. Review of these aerial photos revealed that the Project site did not contain agricultural uses between the years of 1938 and 2012. A portion of the Project site, approximately one-third of the 9.14-acres, appears to have been utilized for farming for a short time between 2013 and 2016. The Applicant has indicated that onions were grown on the site at this time. Due to the small area utilized for farming, the Project site would not have produced a significant economic yield from the planted crops. Following 2016, the crops were removed, and the Project site remains vacant to this date. Over the seventy-four (74) years prior to 2012, and for the past five (5) years, the Project site has not been utilized for farming or any other agricultural uses.

Based on the aforementioned, the development of the property would convert Prime Farmland to a non-agricultural use, however, this would not be considered a significant environmental effect to agricultural resources since the site has been mostly vacant since 1938 with the exception of onions planted on a small portion of the site between 2013 and 2016. Thus, a less than significant impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Less than Significant Impact: The Project site is currently zoned as Moreno Industrial Area SP 208 CZ. Additionally, the Project site is identified as Prime Farmland according to Map OSCR-1: Regional Open Space and Trails of the General Plan. While the underlying zoning allows agricultural uses, the Moreno Industrial Area SP 208 also allows open space, automobile parking, and roads on the Project site. Therefore, implementation of the Project would not conflict with the existing zoning. As disclosed in the General Plan (and supported mapping information from the California Department of Conservation), no land within the City is under a Williamson Act Contract (CDC, 2018; City of Moreno Valley, 2021). As such, a less than significant impact would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resource Code section 122220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?

No Impact: The Project site is not zoned as forest land, timberland, or Timberland Production, nor is the site surrounded by forest land, timberland, or Timberland Production land. The site is vacant and disturbed. There are no lands located within the City of Moreno

Valley that are zoned for forest land, timberland, or timberland zoned Timberland Production (City of Moreno Valley, 2021). Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact: The City does not possess any forestland; thus, the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use (City of Moreno Valley, 2021). As such, no impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

Less than Significant Impact: As previously discussed under Section II (a), the Project site is classified as “Prime Farmland” by the California Department of Conservation. The Project site is vacant and contains no active agricultural uses under existing conditions. The property shows evidence of being routinely disturbed (i.e., disked). Implementation of the Project would not involve other changes in the existing environment that would result in the conversion of Farmland to nonagricultural use or forest land to non-forest use outside of the boundaries of the Project site. A less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 8 – Environmental Justice

2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.3 – Air Quality
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.050 – Air Quality of the Moreno Valley Municipal Code
 - Section 9.10.150 – Odors of the Moreno Valley Municipal Code
 - Section 9.10.170 – Vibration of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Section 12.50.040 – Limitations on Engine Idling
5. Heacock Logistics Trailer Parking Lot Project Air Quality and Global Climate Change Impact Analysis, Ganddini, October 12, 2021. (*Appendix A*)

Regulatory Setting: The Project site is located in the South Coast Air Basin (SCAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. The Project site is located within the SCAB, a 6,745-square mile subregion of the SCAQMD, which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. The U.S. EPA has set National Air Quality Standards (NAAQS) and monitoring requirements for six principal pollutants, which are called "criteria pollutants," including Ozone (O₃), Particulate Matter (PM) (including both PM₁₀ and PM_{2.5}), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead (Pb). The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause regional and/or localized exceedances of the federal and/or state ambient air quality standards, such as the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Currently, the SCAB is in nonattainment for Ozone (O₃) and PM_{2.5} under state and federal air quality standards, and PM₁₀ under state air quality standards. The attainment status of criteria pollutants in the SCAB are shown in Table 3-1 below. The federal Clean Air Act (CAA) requires areas that are not attaining the national ambient air quality standards (NAAQS) to develop and implement an emission reduction strategy that will bring the area into attainment in a timely manner. The SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The most recent AQMP for the SCAB was published in 2016. The SCAQMD has developed regional and localized significance thresholds (LST) for criteria pollutants, which indicate that any Projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered having an individually and cumulatively significant air quality impact. Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD CEQA Air Quality Handbook, consistency with the AQMP is affirmed when a Project (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation and (2) is consistent with the growth assumptions in the AQMP.

Table 3-1 Attainment Status of Criteria Pollutants in the SCAB

Pollutant	State Status	National Status
Ozone	Nonattainment	Nonattainment (Extreme)
Carbon monoxide	Attainment	Maintenance (Serious)
Nitrogen dioxide	Attainment	Maintenance (Primary)
Sulfur dioxide	Attainment	Attainment/Unclassified
PM10	Nonattainment	Maintenance (Serious)
PM2.5	Nonattainment	Nonattainment (Moderate)

Source (Federal and State Status): California Air Resources Board (2020) <https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations> & US EPA (2020) <https://www.epa.gov/green-book>.

Discussion of Impacts

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact: The SCAQMD Air Quality Management Plan (AQMP) establishes thresholds for criteria pollutants; projects that exceed any of the indicated daily thresholds should be considered as having an individually and cumulatively significant air quality impact and are not in compliance with the AQMP. The primary purpose of the air quality plans is to bring an area that does not attain federal and state air quality standards into compliance with those standards pursuant to the requirements of the Clean Air Act and California Clean Air Act. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

Based on the air quality modeling analysis contained in the Air Quality and Global Climate Change Impact Analysis, the proposed Project will generate emissions of NOx, ROG, CO, PM10, and PM2.5. However, these emissions would not exceed the SCAQMD regional or local thresholds and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Due to the magnitude of traffic that the Project is anticipated to create, no violations of the state and federal CO standards are projected to occur (*see Appendix A*). The Air Quality Analysis concluded that short-term construction impacts, and long-term operation impacts of the proposed Project will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. Therefore, the proposed Project would not create emissions that would exceed those assumed in the AQMP and would therefore be consistent with the AQMP. Impacts related to air quality plan consistency would be less than significant.

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact with Mitigation Incorporated: The Project area is out of attainment for ozone, PM10, and PM2.5. The AQMD states that individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

Construction Impacts

As discussed above in section (a), short-term construction impacts of the proposed Project will not result in significant impacts based on the SCAQMD regional and local thresholds of significance. Furthermore, Mitigation Measure **AQ-1** ensures adherence to SCAQMD Rule 403 (Fugitive Dust). Implementation of these control measures will further reduce criteria pollutant emissions. Therefore, Project construction-source emissions would be considered less than significant on a project-specific and cumulative basis.

Operational Impacts

Long-term air quality impacts generally involve mobile source emissions generated from project-related traffic and stationary source emissions. The Project does not contain any stationary source emissions; however, the Project will generate traffic-related emissions. These long-term operation traffic-related emissions will not result in significant impacts based on the SCAQMD regional and local thresholds of significance.

Thus, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Impacts would be less than significant with mitigation incorporated.

- c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.

The nearest sensitive receptors to the Project site include the existing single-family detached residential dwelling unit located approximately 1,409 feet southwest and 1,570 feet south of the Project site. Other air quality sensitive land uses are located further from the Project site and would experience lower impacts (*see Appendix A*). As discussed

above in sections (b), Mitigation Measure **AQ-1** ensures adherence to SCAQMD Rule 403 (Fugitive Dust). Implementation of these control measures will further reduce criteria pollutant emissions due to construction, and a less than significant impact will occur with incorporated mitigation.

- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)

Less than Significant Impact: The Project will not involve land uses that are typically associated with odor complaints, as are agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt during construction activities. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. Regarding operational odors, the Project would be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the Project construction and operations would be less than significant and no mitigation is required.

Mitigation Measures

Mitigation:

(III.)

(b, c)

AQ-1

During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventative measures using the following procedures, as specified in SCAQMD Rule 403:

- Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least twice daily with complete coverage, preferably in the late morning and after work is done for the day.
- Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust.
- Indicate these control techniques in project specifications. Compliance with the measure will be subject to the City.
- Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible.
- All trucks hauling dirt, sand, soils, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).
- Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10 – Open Space & Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.4 – Biological Resources

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

3. Burrowing Owl Focused Survey Report for Heacock Logistics Parking Lot Project, CASC Engineering and Consulting, June 16, 2021. (*Appendix B*)
4. Preliminary Drainage Analysis for Proposed Heacock Logistics Parking Lot, CASC Engineering and Consulting, May 12, 2021. (*Appendix G*)
5. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)
6. California Department of Fish and Wildlife. BIOS Habitat Connectivity Viewer. Accessed October 7, 2021.
7. California Department of Fish and Wildlife. Natural Community Conservation Plan Summaries map. Accessed October 7, 2021.

Discussion of Impacts

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less than Significant Impact with Mitigation Incorporated: The Project site is currently vacant land (see *Figure 1-2, Aerial Imagery*) that shows evidence of routine disturbance (i.e. disking). CASC Engineering and Consulting conducted a burrowing owl focused literature review and field survey in April 2021. No special status plant or animal species were observed within the Project site or within the 500-foot buffer surrounding the site during the field survey.

Vegetation:

The Project site, and directly adjacent land uses, are characterized by predominantly weedy non-native annual herbaceous species intermixed with a low density of common, weedy native species. Native species observed throughout the site and buffer include annual burweed (*Ambrosia acanticarpa*), western ragweed (*Ambrosia psilostachya*), California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), common horseweed (*Conyza canadensis*), western sunflower (*Helianthus annuus*), telegraph weed (*Heterotheca grandifolia*), small wreath plant (*Stphanomeria exigua*), spiny cocklebur (*Xanthium spinosum*), tarweed fiddleneck (*Amsinckia lycopsoides*), California croton (*Croton californicus*), doveweed (*Croton setigerus*), palo verde (*Parkinsonia aculeata*), California buckwheat (*Eriogonum fasciculatum*), curly dock (*Rumex crispus*), and stinging nettle (*Urtica dioica*). Non-native species observed include tocolote (*Centaurea melitensis*), rush skeletonweed (*Chondrilla juncea*), brass buttons (*Cotula coronopifolia*), bristly ox-tongue (*Picris echioides*), perennial sow-thistle (*Sonchus arvensis*), black mustard (*Brassica nigra*), shortpod mustard (*Hirshfeldia incana*), Russian thistle (*Salsola tragus*), spotted rattlesnake spurge (*Chamaesyce maculate*), burclover (*Medicago polymorpha*), yellow sweet-clover (*Melilotus indica*), red-stemmed filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), tree tobacco (*Nicotiana glauca*), soft chess (*Bromus hordeaceus*), and foxtail chess (*Bromus madritensis*). No special status vegetation communities were observed within the Project site during the April 2021 field visit. The disturbed nature of the site would have limited potential for any special status species to occur (see *Appendix B*).

Wildlife:

Species of wildlife are afforded “special status” by federal agencies, state agencies, and/or non-governmental organizations due to their recognized rarity, potential vulnerability to extinction, or local importance. These species typically have a limited geographic range and/or limited habitat and are referred to collectively as “special status” species. Special status wildlife species with the potential to occur within the Project site and surrounding area include the Stephens’ Kangaroo Rat and burrowing owl. However, the Project site is not located within a Stephens’ Kangaroo Rat Core Reserve Area.

A total of 25 wildlife species or signs thereof were observed during the April 2021 site visit. The species observed include Funeral dusky wing (*Erynnis funeralis*), western fence lizard (*Sceloporus occidentalis*), red-tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverius*), killdeer (*Charadrius vociferous*), mourning dove (*Zenaida macroura*), Anna’s hummingbird (*Calypte anna*), Western kingbird (*Tyrannus verticalis*), black phoebe (*Sayornis nigricans*), Say’s phoebe (*Sayornis saya*), barn swallow (*Hirundo rustica*), American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), Northern mockingbird (*Mimus polyglottos*), European starling (*Sturnis vulgaris*), California towhee (*Pipilo crissalis*), house sparrow (*Passer domesticus*), horned lark (*Eremophila alpestris*), Western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), black-tailed jackrabbit (*Lepus californicus*), Audubon cottontail (*Sylvilagus audubonii*), California ground squirrel (*Spermophilus beecheyi*), and coyote (*Canis latrans*).

The Project site does not contain any plant species that have been given federal, state, or local designation as sensitive or special status species. However, the Project site has been identified by the Western Riverside County Multiple Species Conservation Plan Area (MSHCP), as part of the Additional Needs Survey Area for Burrowing Owls and is therefore subject to habitat assessment and focused burrowing owl (BUOW) surveys, if suitable habitat is present. Although BUOWs have no federal protection, BUOW is designated by California Department of Fish and Wildlife (CDFW) as a species of special concern. The MSHCP is intended to serve as a Habitat Conservation Plan pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act, as well as a Natural Communities Conservation Plan (NCCP).

An initial site assessment for BUOW was conducted on April 23, 2021, and three (3) focused surveys were conducted between April 23, 2021 and June 1, 2021. While suitable BUOW habitat was present on the Project site, no burrowing owl or indications of their presence were observed during the habitat assessment or the focused surveys. Additionally, past agricultural activities have resulted in substantial loss of native habitat within the Project boundary. The Project site is devoid of most vegetation due to seasonal disking of the site. Due to the lack of native vegetation on-site, the Project would not have a substantial adverse effect on sensitive or special status plant species. Although BUOW were not found within the Project site, the habitat assessment identified areas within the Project site and the surrounding areas that are suitable for BUOW habitat. Therefore, Mitigation Measure **BIO-1** would reduce potential impacts to less than significant.

- b)** Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Less than Significant Impact: The Project site does not contain any habitat areas, sensitive natural communities, wetlands, or migratory wildlife corridors. Section 6.1.2 of the MSHCP states that “riparian/riverine resources are lands which contain habitat dominated by trees, shrubs, persistent emergent [wetland plant species], or emergent mosses and lichens, which occur close to, or which depend upon moisture from a nearby freshwater source; or areas with freshwater after flow during all or a portion of the year.” There is no evidence of riparian/riverine resources subject to the MSHCP on the Project site.

The nearest body of water is Lake Perris, approximately 2.75 miles east of the Project site. Considering the distance, the proposed Project is not anticipated to have adverse effects on any nearby bodies of water. Additionally, no impact is anticipated to cause a substantial adverse effect on riparian habitat or other sensitive natural communities as none exist within the Project site or the surrounding area. Thus, a less than significant impact would occur.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact: The Project site does not contain state or federally protected wetlands such as marches, vernal pools, streams, or rivers. However, the Perris Valley Storm Drain runs along the Project’s southern boundary. The Project proposes an underground catch basin and sump and pump to pump water to the east and reduce post-development water flow. Proposed drainage patterns will mimic the existing condition by sheet flowing from the northwest corner of the site to the southeast corner to the proposed catch basin (see *Appendix G*). Therefore, the project will have a less than significant impact on state or federally protected wetlands and a jurisdictional delineation would not be required.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact: Wildlife movement and the fragmentation of wildlife habitat are recognized as critical issues that must be considered in assessing impacts to wildlife. Habitat fragmentation is the division or breaking up of larger habitat areas into smaller areas that may or may not be capable of independently sustaining wildlife and plant populations. Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages, but wildlife corridors provide specific opportunities for animals to disperse or migrate between areas. The Project site is surrounded by March Air Reserve Base to the northwest and vacant land and warehouses to the north, east, and south. Due to the industrial nature of the surrounding area, the Project site does not act as a wildlife corridor and Project implementation would not substantially interfere with native resident or migratory species, wildlife corridors, or native wildlife nursery sites. Thus, a less than significant impact would occur.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact: The Stephens' Kangaroo Rat and burrowing owl are protected species under the Western Riverside County Multiple Species Conservation Plan Area (MSHCP) and occur within the City of Moreno Valley. The Project site is not located within a Stephens' Kangaroo Rat Core Reserve Area. Additionally, the Project site is not located within an MSHCP criteria cell; however, the site does fall within the Additional Needs Survey Area for Burrowing Owls and is subject to habitat assessment and focused burrowing owl surveys if suitable habitat is present (*see Appendix B*). The Burrowing Owl site assessment conducted for the Project site is discussed in Section III (a) of this Initial Study.

The City of Moreno Valley Municipal Code contains provisions for the protection of the Stephens' Kangaroo Rat (refer to Municipal Code Section 8.8.60), as well as provisions for the collection of mitigation fees to further the implementation of the Western Riverside County MSHCP (refer to Municipal Code Section 3.3.48). The proposed Project is not subject to focused survey requirements for the Stephens' Kangaroo Rat due to the location of the Project site. However, the Applicant is required to contribute a local development impact and mitigation fee to assist the City in implementing the habitat conservation plan for the Stephens' Kangaroo Rat. Additionally, the Applicant is required to contribute a local development impact and mitigation fee to assist the City in implementing the Western Riverside County MSHCP reserve system (including the acquisition, management, and long-term maintenance of sensitive habitat areas). Therefore, the project would not conflict with local policies and ordinances. Due to the City's standard regulatory requirements, impacts would be less than significant.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant Impact: The Project site is not located within Stephens' Kangaroo Rate Core Reserve Area, nor is it located within any criteria cells for special status species under the MSHCP. Although the Project site is located within the Additional Needs Survey Area for Burrowing Owls, the site does not contain any burrowing owls. The Project site is not located within any other planning areas of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan. The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, a less than significant impact would occur.

Mitigation Measures

Mitigation:

(IV.)

(a)

BIO-1: Burrowing Owls

A 30-day preconstruction Burrowing Owl Survey shall be performed by a qualified biologist recognized by the County of Riverside. The Applicant must provide

documentation to the City confirming the “qualified” status of the biologist. The Burrowing Owl Survey results must be provided to the City prior to the issuance of a grading permit. After the survey, a technical memorandum of findings shall be prepared and sent to the California Department of Fish and Wildlife (CDFW), Environmental Programs Department (EPD) at the County of Riverside, and the Regional Conservation Authority.

If the Project site is found positive for burrowing owl, coordination with CDFW will be mandatory and additional exclusionary and relocation efforts will be necessary.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources – Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10- Open Space and Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.5 – Cultural and Tribal Resources
 - Table 4.5-1 List of Historic Resources and their Eligibility Status
 - Figure 4.5-1 Historic Resources
 - Figure 4.5-2 Archaeological Sensitive Areas
3. Cultural Resources Survey Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 25, 2021. *(see Appendix C)*
4. Paleontological Resources Assessment Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 27, 2021. *(see Appendix D)*
5. Heacock Parking EDR report #6691976.11, Environmental Data Resources, Inc., October 6, 2021.
6. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
7. Moreno Valley Municipal Code Title 7 – Cultural Preservation

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Discussion of Impacts

- a) Cause a substantial adverse change in the significance of a historical resource pursuant in §15064.5 of the CEQA Guidelines?

No Impact: A Cultural Resources Survey Report and a Paleontological Resources Assessment Report was prepared by CRM Tech on September 25 and September 27, 2021, respectively. On August 11, 2021, a historical/archaeological resources records search service for the Project area was provided by the Eastern Information Center (EIC). The records search included review of all recorded cultural resources within a half-mile radius of the Project area, as well as review of known cultural resource reports. The results of the records search from the EIC indicated that no cultural resources are recorded within the Project area; however, one historic-period site has been recorded outside but adjacent to the southern project boundary. Site 33-024867 represents a 290-foot-long segment of Lateral B-Oleander Channel, which has been determined not to be eligible for the National Register of Historic Places or the California Register of Historical Resources.

On August 16, 2021, CRM Tech archaeologist conducted an intensive pedestrian field survey of the Project area with the assistance of a tribal monitor from the Soboba Band of Luiseño Indians. The field survey produced completely negative results for potential cultural resources, and no buildings, structures, objects, sties, features, or artifact depots of prehistoric or historical origin were encountered. Ultimately, the research and survey results from the Cultural Resources Assessment indicated that the proposed Project will not cause a substantial adverse change to any known historical resources and no further cultural resources investigation is necessary for the Project (*see Appendix C*).

The Project site is currently vacant and there are no known historically or culturally significant resources, structures, buildings, or objects located within in the Project area. The Project site does not contain any previously recorded cultural and/or paleontological resources. In addition, the integrity of the property has been significantly disturbed due to discing. Thus, the Project site would not cause an adverse change in the significance of a historical resource and impacts to historic resources are not anticipated; therefore, no impact would occur.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?

Less than Significant Impact with Mitigation Incorporated: As concluded in the Cultural and Paleontological Assessments, the Project area does not contain previously recorded cultural and/or paleontological resources. No paleontological resources were observed during the field survey. In addition, the integrity of the property has been badly altered from the many years of disking. However, the potential to discover buried archaeological deposits remains. Within a one-half mile radius of the Project, at least 14 other studies on various tracts of land and linear features were completed, which resulted in the recordation of five (5) additional historical/archaeological sites (*see Appendix C*). Additionally, the Paleontological Assessment concluded that the soil within the Project site is comprised of Pleistocene- age alluvium, which generally has a high potential to contain significant, nonrenewable fossil remains. Therefore, there is a potential that

paleontological or archaeological resources/deposits could be uncovered during digging or earthwork. Thus, Mitigation Measures **CR-1** through **CR-5** and **CR-8** are identified to require archaeological monitoring during any earth-moving activities to evaluate and salvage discoveries, if any, that occur. With incorporation of mitigation, impacts would be less than significant.

- c) Disturb any human remains, including those outside of formal cemeteries?

Less than Significant Impact with Mitigation Incorporated: Due to the heavy disturbance (discing) of the Project site, no human remains, or cemeteries are anticipated to be disturbed by the proposed Project. Furthermore, an Environmental Data Resources (EDR) report produced aerial imagery dating back to 1938. Review of these aerial photos did not identify possible cemeteries in the area, and therefore, the likelihood of encountering human remains during Project development is minimal. However, these findings do not preclude the existence of previously unknown human remains located below the ground surface, which may be encountered during construction excavations associated with the proposed Project. As a result, Mitigation Measures **CR-6** and **CR-7** have been identified to reduce potentially significant impacts to previously unknown human remains that may be unexpectedly discovered during project implementation to a less than significant level. Consistent with State law, if at any time during grading human remains are found, the Project is to be conditioned to halt work and contact the Riverside County Coroner's Office. Based on compliance with existing regulations and the implementation of Mitigation Measures **CR-6** and **CR-7**, the Project's potential to disturb human remains is considered less than significant with mitigation.

Mitigation Measures

Mitigation:

V.

(b)

CR-1: Archeological Monitoring

Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.

(b)

CR-2: Native American Monitoring

Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseno Indians and Soboba Bank of Luiseno Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.

(b)

CR-3: Cultural Resource Monitoring Plan (CRMP)

The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

- a. Project description and location
- b. Project grading and development scheduling;
- c. Roles and responsibilities of individuals on the Project;
- d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
- e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
- f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.
- g. Contact information of relevant individuals for the Project;

(b)

CR-4: Cultural Resource Disposition

In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:
 - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.

- ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3. The location for the future reburial area shall be identified on a confidential exhibit on file with the City and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."

(b)

CR-5: Inadvertent Finds

If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.

(c)

CR-6: Human Remains

If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations

concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

(c)

CR-7: Non-Disclosure of Reburial Locations

It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

(b)

CR-8: Archeology Report - Phase III and IV

Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy – Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 Parks and Public Services

- Chapter 10- Open Space and Resource Conservation
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.6 - Energy
 3. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
 4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

Discussion of Impacts

- a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact: The proposed Project would impact energy resources during construction and operation. The construction activities for the Project would include grading of the Project site, paving, and striping. The Project would consume energy resources during construction in three (3) general forms:

1. Petroleum-based fuels used to power off-road construction vehicles and equipment on the Project site, construction worker travel to and from the Project site, as well as delivery and haul truck trips (e.g. hauling of demolition material to off-site reuse and disposal facilities);
2. Electricity associated with the conveyance of water that would be used during Project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power; and,
3. Energy used in the production of construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber.

All construction equipment is subject to the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation. This regulation, which applies to all off-road diesel vehicles 25 horsepower or greater, limits unnecessary idling to 5 minutes, requires all construction fleets to be labeled and reported to CARB, bans Tier 0 equipment, and phases out Tier 1 and 2 equipment (thereby replacing fleets with cleaner equipment), and requires that fleets comply with Best Available Control Technology requirements, which would increase construction equipment fuel efficiency. These limitations on idling of vehicles and equipment, and the requirements that equipment must be properly maintained (CCR Title 13, Sections 2449(d)(3) and 2485), would result in fuel savings. Due to the temporary nature of construction, the Project would not result in wasteful, inefficient, and unnecessary consumption of energy. Further, there are no policies at the local level applicable to energy conservation specific to the construction phase. The proposed Project does not include construction of buildings or land uses associated with significant energy use during operation.

Moreno Valley Electric Utility (MVU) and Southern California Gas Company (SoCalGas) would provide electricity and natural gas for the Project. The on-going operation of the proposed parking lot would require the use of electricity for lighting purposes. Project operation may result in increased consumption of petroleum-based fuels related to vehicular travel to and from the Project site. However, operation of the proposed Project

would not result in wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?

Less than Significant Impact: The applicable state plans that address renewable energy and energy efficiency are CALGreen, the California Energy Code, and RPS. Under the California Renewables Portfolio Standard, the State of California is transitioning to renewable energy through the California’s Renewable Energy Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. Electricity production from renewable sources is generally considered carbon neutral. Executive Order S-1408, signed in November 2008, expanded the state’s renewable portfolios standard (RPS) to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. Senate Bill 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures. On September 10, 2018, Governor Brown signed SB 100, which supersedes the SB 350 requirements. Under SB 100, the RPS for public owned facilities and retail sellers consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. Additionally, SB 100 also established a new RPS requirement of 50 percent by 2026. The bill also established a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under SB 100 the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers such as MVU, which is the utility that would provide all of electricity needs for the Project. Compliance of MVU in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. Additionally, the Project would be conditioned to comply with the Building Energy Efficiency Standards (Title 24) and CALGreen. Therefore, implementation of the proposed Project would not conflict or obstruct plans for renewable energy and energy efficiency and a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils– Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 6 – Safety
 - Map S-1: Fault Zones
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.7 – Geology/Soils
3. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
4. Paleontological Resources Assessment Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 27, 2021. (Appendix D)
5. Geotechnical Investigation and Percolation Test Results for Heacock Logistic Parking Project, Geocon West Inc., March 18, 2021. (Appendix E)
6. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

- Chapter 8.21 – Grading Regulations
7. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 4 – Earthquake
 - Figure 4-1 – Right-Lateral Strike -Slip Fault
 - Figure 4-1.1 – Moreno Valley Geologic Faults and Liquefaction 2016
 - Figure 4-1.2 – Moreno Valley Area Ground Shaking Map
 - Chapter 8 – Landslide
 - Figure 8-1 – Moreno Valley Slope Analysis 2016
 8. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Threat Assessment 1 – Major Earthquakes
 - Figure 9 – Types of Faults
 - Figure 10 – Earthquake Faults
 - Figure 11 – Comparison of Richter Magnitude and Modified Mercalli Intensity
 - Figure 12 – Magnitude 4.5 or Greater Earthquake Map
 - Figure 13 – Geologic Faults and Liquefaction

Discussion of Impacts

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.

Less than Significant Impact: The San Jacinto Fault Zone traverses the northeastern boundary of the City. One of the most seismically active structures in southern California, the San Jacinto fault zone has produced 10 historical earthquakes with a magnitude greater than 6 and has been categorized as an Alquist-Priolo Earthquake Fault Zone by the State of California. Alquist-Priolo Zones identify surface traces of known active faults that pose seismic hazards and buffers around the known traces.

The Alquist-Priolo Earthquake Fault Zoning Act (Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the State Geologist to establish regulatory zones, known as "Alquist-Priolo (AP) Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet).

According to Map S-1: Fault Zones of the City's General Plan Safety Element, there are no fault zones in the proximity of the Project site (City of Moreno Valley, 2021).

The nearest fault is the San Jacinto Fault which is located over 8 miles northeast of the Project site. Because there are no known faults located on the Project site, there is low potential for the proposed Project to expose people or structures to adverse effects related to ground rupture. Thus, a less than significant impact would occur.

ii. Strong seismic ground shaking?

Less than Significant Impact: The Project site is located within a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the proposed Project. Several factors control how ground motion interacts with structures, making the hazard of ground shaking difficult to predict. Seismic waves propagating through the Earth's crust are responsible for the ground vibrations normally felt during an earthquake. Structures within the City could be affected by ground shaking during a seismic event associated with the San Jacinto Fault Zone. Additionally, seismic events associated with the active San Andreas Fault located approximately 15 miles northeast and the active Elsinore Fault located approximately 17 miles southwest could also generate ground shaking within the City.

The ground shaking risk of the Project is not considered substantially different than that of other similar properties in the southern California area. As a mandatory condition of Project approval, the City of Moreno Valley will require that any proposed structures be constructed in accordance with the California Green Building Standards Code (CALGreen), also known as California Code of Regulations (CCR), Title 24 and the City Building Code. CALGreen and City Building Code are designed to preclude significant adverse effects associated with strong seismic ground shaking. The future workers on the Project site have the potential to be exposed to strong seismic ground shaking associated with seismic events. Adherence to the recommendations outlined in the City's General Plan and Municipal Code, as well as conditions of approval and the California Building Code (CBC) Guidelines that are currently adopted by the City, would ensure potential impacts related to strong seismic shaking are less than significant.

iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact: Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subject to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: shallow groundwater; low-density non-cohesive (granular) soils; and high-intensity ground motion. Liquefaction is typified by a buildup of pore-water pressure in the affected soil layer to a point where a total loss of shear strength occurs, causing the soil to behave as a liquid. According to Map S-2: Liquefaction Hazards of the City's General Plan Safety Element, the Project site is identified as having a "low" liquefaction susceptibility. Conformance with the CBC's guidelines currently adopted by the City would ensure impacts associated with liquefaction are less than significant.

iv. Landslides?

No impact: Landslides occur when masses of rock, earth, or debris move down a slope, including rock falls, deep failure of slopes, and shallow debris flows. Landslides are influenced by human activities such as grading and other construction activities, irrigation of slopes, mining activity, and by natural factors such as precipitation, geology/soil types, surface/subsurface flow of water, and topography. Frequently, they may be triggered by other hazards such as floods and earthquakes. The Project site is relatively flat and contains no hillside or steep slopes on or in the vicinity (Google Earth Pro, 2020). Accordingly, the Project site is located within an area with a low potential for landslides. Additionally, grading in support of the Project is not anticipated to result in the creation of any new substantial slopes on-site that could be subject to landslide. Grading of the site would not pose a landslide threat to adjacent properties, future site workers, or the proposed buildings. Accordingly, the proposed Project would not create and would not be exposed to any risk of a landslide. No impact would occur.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact: Construction activities associated with the Project would involve earth movement and the exposure of soil, which would temporarily increase erosion susceptibility. In the long-term, development of the subject property would increase impervious surface cover and permanent landscaping on the Project site, thereby reducing the potential for erosion and loss of topsoil that currently occurs. The Project would be required to adhere to standard regulatory requirements, including, but not limited to, requirements imposed by the City of Moreno Valley's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and a Project-specific Water Quality Management Plan (WQMP) that includes Best Management Practices (BMPs) to minimize water pollutants including sedimentation in stormwater runoff. The Proposed Project involves construction of a parking lot in an essentially level area of the City. The Project does not propose to significantly alter existing topography. Based on the preceding, potential impacts associated with erosion or changes in topography, including loss of topsoil are considered less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than Significant Impact: Refer to the discussion of Section VI ((a)(iii)) and (iv) for a discussion of hazards associated with liquefaction and landslide hazards. As noted, landslide hazards are not anticipated to affect or result from the Project, and the site is in an area of "low potential" for exposing future development on-site to liquefaction-related hazards. (City of Moreno Valley, 2021). The Project site's potential for lateral spreading or collapse is low, given that the recommendations in the Geotechnical Investigation and Percolation Test Results are followed, (see *Appendix E*). The upper portion of the alluvium is not considered suitable for development and will need to be removed to expose competent material. The existing soils within approximately three (3) feet below subgrade elevation are expected to require remedial excavation and proper compaction. However, the actual depth of removal should be evaluated by the engineering geologist during

grading operations. The Project site should then be brought to final subgrade elevations with fill compacted in layers. Additionally, the Project Site may contain some granular material, which has little to no cohesion and is subject to caving in un-shored excavations and will need to follow proper OSHA guidelines for shoring to prevent any cave-ins (see *Appendix E*). Further, the Project will be required to comply with all applicable provisions of the Uniform Building Code (UBC) and California Building Code (CBC) that would act to minimize any unstable soils, and any unstable geologic units that may be encountered. On this basis, the potential for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse is less than significant.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less than Significant Impact: Expansive soils contain significant amounts of clay particles that swell considerably when wetted and shrink when dried. Foundations constructed on these soils are subject to uplifting forces caused by the swelling. Without proper mitigation measures, heaving and cracking of both building foundations and slabs-on-grade could result. The subsurface soils beneath the site consist of alluvium (Qa); which is comprised of silty sand, sandy silt, and well-graded sand. The recommended grading specifications state, “where practical, soils having an Expansion Index greater than 50 should be placed at least 3 feet below finish pad grade and should be compacted at a moisture content generally 2 to 4 percent greater than the optimum moisture content for the material” (see *Appendix E*). Furthermore, the proposed Project does not consist of building any structures or buildings which would create substantial direct or indirect risks to life or property. Therefore, a less than significant impact would occur.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact: The Project would not install any septic tanks or alternative waste water disposal systems. No impact would occur.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation Incorporated: On July 26, 2021, CRM Tech principal paleontologist conducted an intensive level field survey. Throughout the course of the field survey, no surface manifestation of any paleontological remains was observed within the Project area. It was noted during the survey that the ground surface in the entire Project area has been extensively disturbed by disking. Additionally, Western Science Center (WSC) provided paleontological records to CRM Tech that identified no known paleontological localities within the Project area but yielded numerous localities that were discovered in similar types of soil in the surrounding region. The WSC describes the soils within the Project area as Quaternary alluvium of Holocene and Pleistocene origin, which are well documented to be of high paleontological sensitivity.

Pleistocene-age alluvium generally has high potential to contain significant, nonrenewable fossil remains.

Ultimately, the research and survey results from the Paleontological Assessment found the proposed Project’s potential to impact significant, nonrenewable paleontological resources to be high, based on the Pleistocene-age alluvium within the project site and surrounding vicinity. Based on these findings, CRM Tech recommends that a paleontological resource impact mitigation program be developed and implemented during the Project to prevent such impacts or reduce them to a level less than significant (see Appendix D).

The Project area does not contain any previously recorded paleontological resources, and no paleontological resources were observed during the field survey conducted on July 26, 2021. In addition, the integrity of the property has been altered from the many years of disturbance (disking). However, the soil within the Project site is comprised of Pleistocene-age alluvium, which generally has a high potential to contain significant nonrenewable fossil remains. Therefore, there is a potential that paleontological resources could be uncovered during digging or earthwork at the Project site. Mitigation Measures **CR-1** through **CR-5** and **CR-8** are identified to require archaeological monitoring during any earth-moving activities to evaluate and salvage discoveries, if any, that occur. Ultimately, the likelihood of directly or indirectly destroying a unique paleontological resource or site or unique geologic feature is extremely low due to the lack of presence of paleontological resources. However, there is still a potential to uncover paleontological resources during excavation of the Project site. By adhering to Mitigation Measures **CR-1** through **CR-5** and **CR-8**, the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature will be minimized. Therefore, with mitigation incorporated, the Project would result in a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Greenhouse Gas Emissions – Would the project:				
a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 4 – Circulation

- Chapter 8 – Environmental Justice
- 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.8 – Greenhouse Gas Emissions
- 3. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
- 4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
- 5. California’s 2017 Climate Change Scoping Plan, prepared by the California Air Resources Board, November 2017, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, accessed April 24, 2019
- 6. Heacock Logistics Trailer Parking Lot Project Air Quality and Global Climate Change Impact Analysis, Ganddini, October 12, 2021. (*Appendix A*)

Discussion of Impacts

- a) Generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact:

As shown in Table 8-1 Project-Related Greenhouse Gas Emissions, the Project would generate 2,761.64 MTCO₂e per year (*see Appendix A*). According to the threshold of significance, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations of the proposed Project would exceed the SCAQMD industrial threshold of 10,000 MTCO₂e per year. Therefore, since the Project will not exceed the threshold of significance, the Project does not have the potential to result in a cumulatively considerable impact with respect to GHG emissions and a less than significant impact will occur.

Table 8-1 Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO ₂	NonBio-CO ₂	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area Sources ¹	0.00	0.01	0.01	0.00	0.00	0.01
Energy Usage ²	0.00	25.78	25.78	0.00	0.00	25.90
Mobile Sources ³	0.00	2,625.73	2,625.73	0.03	0.36	2,733.92
Waste ⁴	0.00	0.00	0.00	0.00	0.00	0.00
Water ⁵	0.00	0.00	0.00	0.00	0.00	0.00
Construction ⁶	0.00	1.81	1.81	0.00	0.00	1.82
Total Emissions	0.00	2,653.32	2,653.32	0.03	0.36	2,761.64
SCAQMD Draft Screening Threshold for industrial uses						10,000
Exceeds Threshold?						No

Notes:

Source: CalEEMod Version 2020.4.0 for Opening Year 2022.

- (1) Area sources consist of GHG emissions from landscape equipment.
- (2) Energy usage consist of GHG emissions from electricity and natural gas usage.
- (3) Mobile sources consist of GHG emissions from vehicles.
- (4) Solid waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.
- (5) Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
- (6) Construction GHG emissions CO₂e based on a 30 year amortization rate.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact: The Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing GHG emissions. Applicable plans adopted for the purpose of reducing GHG emissions include the City of Moreno Valley Energy Efficiency and Climate Action Strategy, City of Moreno Valley CAP, and California Air Resources Board (CARB) Scoping Plan.

Additionally, the Project would be required to comply with regulations imposed by the State of California and the South Coast Air Quality Management District (SCAQMD) aimed at the reduction of air pollutant emissions. The regulations that are directly and indirectly applicable to the Project and that would assist in the reduction of GHG emissions include:

- Global Warming Solutions Act of 2006 (Assembly Bill (AB) 32)
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (Senate Bill (SB) 375)
- Pavley Fuel Efficiency Standards (AB 1493). Establishes fuel efficiency ratings for new vehicles.
- California Building Code (Title 24 California Code of Regulations (CCR)). Establishes energy efficiency requirements for new construction.
- Low Carbon Fuel Standard (LCFS). Requires carbon content of fuel sold in California to be 10 percent (%) less by 2020.
- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions
- Renewable Portfolio Standards (SB 1078 – also referred to as RPS). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20 % by 2010 and 33% by 2020.
- California Global Warming Solutions Act of 2006 (SB 32). Requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15.

CARB Scoping Plan:

CARB's Scoping Plan is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32, which is to return to 1990 emission levels by year 2030 (CARB 2017). The CARB Scoping Plan is applicable to state agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

On December 24, 2017, CARB adopted the Final 2017 Climate Change Scoping Plan Update to address the new 2030 interim target to achieve a 40 percent reduction below 1990 levels by 2030, established by SB 32 (CARB 2017). Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy (CAFE) standards, and other early action measures as necessary to ensure the state is on target to achieve the GHG emissions

reduction goals of AB 32. While measures in the Scoping Plan apply to state agencies and not the proposed Project, the Project’s GHG emissions would be reduced from compliance with statewide measures that have been adopted since AB 32 and SB 32 were adopted. Therefore, the proposed Project would not obstruct implementation of the CARB Scoping Plan and impacts would be less than significant.

The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Given this consistency, the Project’s incremental contribution to greenhouse gas emissions and their effects on climate change would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, Public Review Draft, April 2, 2021
 - Chapter 6 – Safety
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.9 – Hazards and Hazardous Materials
3. Heacock Parking EDR report #6691976.2s, Environmental Data Resources, Inc., October 6, 2021 (*Appendix F*)
4. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
5. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
6. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (<http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>)
7. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 5 – Wildland and Urban Fires
 - Figure 5-2 – Moreno Valley High Fire Area Map 2016
 - Chapter 12 – Dam Failure/Inundation
 - Figure 12-2 Moreno Valley Evacuation Routes Map 2015
 - Chapter 13 – Pipeline
 - Figure 13-1 – Moreno Valley Pipeline Map 2016
 - Chapter 14 – Transportation
 - Figure 14-1.1 – Moreno Valley Air Crash Hazard Area Map 2016
 - Chapter 16 – Hazardous Materials Accident
 - Moreno Valley Hazardous Materials Site Locations Map 2016
8. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Hazard Mitigation and Hazard Analysis
 - Threat Assessment 2 – Hazardous Materials
 - Threat Assessment 3 – Wildfire
 - Threat Assessment 6 – Transportation Emergencies
 - Figure 17 – Air Crash Hazards

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Discussion of Impacts

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact: The Riverside County Department of Environmental Health Hazardous Materials Branch serves as the Certified Unified Public Agency (CUPA) and is responsible for overseeing the six hazardous materials programs in the County. The Branch is responsible for inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate underground storage tanks, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program. Hazardous materials are used in Moreno Valley for a variety of purposes including manufacturing, service industries, various small businesses, agriculture, medical uses, schools, and households. Hazardous materials are also used at the March Air Reserve Base (MARB) adjacent to the City and may be transported to and from the base on City roadways.

Within the vicinity of the Project site is vacant land, light industrial uses, and the March Air Reserve Base (see *Figure 1-2, Aerial Imagery*). Construction of the proposed Project would require the use and transport of hazardous materials such as asphalt, paints, oil, diesel, fuel, gasoline, and building materials. The use, transport, storage, and disposal of hazardous materials using these substances must comply with existing regulations established by several agencies, including the Department of Toxic Substances Control (DTSC), the Environmental Protection Agency (EPA), the US Department of Transportation (USDOT), the Occupational Safety & Health Administration (OSHA), and the Riverside County Department of Environmental Health Hazardous Materials. Construction would also be required to adhere to any local standards set forth by the City, as well as state and federal health and safety requirements that are intended to minimize hazardous materials risks to the public, such as the Hazardous Waste Control Act, the California Accidental Release Prevention program, and the California Health and Safety Code. Compliance with federal safety standards and the authorities of the Riverside County Department of Environmental Health Hazardous Materials Branch would reduce potential impacts to a less than significant level. Operation of the proposed parking lot is not anticipated to store or transport hazardous materials. Therefore, a less than significant impact would occur.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact: As mentioned above in Section IX(a), any handling, storing, or dispensing activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Both short-term construction and long-term operation of the proposed Project would comply with all applicable federal, state, and local agencies and regulations with the policies and programs established by agencies such as the EPA, USDOT, Department of Toxic Substances Control, Cal/OSHA, Resource Conservation and Recovery Act

(RCRA), and the Riverside County Department of Environmental Health Hazardous Materials Branch. Adherence to the applicable policies and programs of these agencies would ensure that any transport or interaction with hazardous materials would occur in the safest possible manner, reducing the opportunity for the accidental release of hazardous materials into the environment. Any handling of hazardous materials would be limited in both quantities and concentrations. Furthermore, the Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan. Zone A prohibits all storage of hazardous materials and all hazards to flight. The proposed Project would adhere to the applicable policies and programs of the agencies listed above, as well as, to the outlines set forth by the March Air Reserve Base Airport Land Use Compatibility Plan for Zone A. Therefore, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, a less than significant impact would occur.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact: The nearest school to the Project site is Val Verde Academy and High School, located approximately 1.4 miles southwest of the Project site. As previously mentioned, handling activities associated with hazardous or potentially hazardous materials would comply with all applicable federal, state, and local agencies and regulations. Given that there are no schools within one-quarter mile of the proposed Project, no impact would occur.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less than Significant Impact: Government Code Section 65962.5 describes that before an application for a development project is completed, the Applicant and/or Lead Agency shall indicate whether the site is included on any of the lists compiled pursuant to that section and identify which list(s). According to the Cortese List, the Project site is not included on a list of hazardous materials sites. Additionally, the nearest hazardous materials site is approximately one (1) mile away. However, an EDR report dated October 21, 2021 (*see Appendix F*) identified soil and groundwater contamination of March Air Force Base (AFB), which is located upgradient of the Project site. Water wells within March AFB have been determined to be contaminated with trichloroethylene, tetrachloroethylene, and cis-1,2-dichloroethylene, at levels that exceed State drinking water standards.

The contamination identified in the EDR report pertains to contaminated groundwater located approximately .5 miles to the northwest on the MARB. The Project proposes to construct a parking lot that will require a maximum excavation of two (2) feet below surface level for the parking lot and a maximum excavation of up to six (6) feet below surface level for the underground catch basin. Groundwater in the immediate area is typically located approximately twenty-five (25) feet below surface level. Thus, if groundwater contamination exists within the Project boundaries, the proposed Project

would not uncover contamination and a significant hazard will not be created. Additionally, groundwater contamination is typically addressed when within 0.1 miles of the subject area. As the Project site is located approximately 0.5 miles southeast of the recorded groundwater contamination, the results of the EDR report do not impact the proposed Project. In addition, the site is designated as Clear Zone within SP 208 which restricts permitted land uses to only open space, agriculture, automobile parking, and roads which would not require significant grading below the surface. Therefore, Project implementation would not create a significant hazard to the public or the environment, a less than significant impact would occur.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less than Significant Impact: The Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan. Zone A prohibits non-aeronautical structures, assemblages of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. Due to the Project site's proximity to MARB and the site's location within Zone A, the Project is subject to very high noise impacts, which can be expected to have a 70-75 dB activity level. However, the Project site is within Specific Plan 208 CZ which identifies agriculture, automobile parking and open space as compatible land uses. In addition, there are no structures, assemblage of people, objects exceeding FAA height limits, nor storage of hazardous materials proposed on the Project site. Therefore, Project implementation would cause a less than significant impact.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact: The City adopted its Local Hazard Mitigation Program (LHMP) on October 4, 2011 (revised 2017). The LHMP contains a map of emergency evacuation routes in the community that includes I-215, SR-60 and major roadways through the City. The circulation and access for the Project site will conform with applicable standards associated with the LHMP. Therefore, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, effects would be less than significant.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less than Significant Impact: Impacts associated with wildland fires are also addressed in Section XX, *Wildfire*, of this Initial Study. The potential for wildland fires represents a hazard, particularly within areas adjacent to open space or within close proximity to wildland fuels. The Project site is not located on a CAL FIRE threat designation or fire hazard severity zone. The nearest severity zones are a Very High and a Moderate Fire Hazard Severity Zone located over 2.25 miles east of the Project site. Compliance with

the Moreno Valley Fire Department’s regulations and policies would ensure that the Project would not expose people or structure to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.

- Chapter 6 – Safety
 - Map S-4: Flood Hazard Areas
 - Chapter 10 – Open Space & resource Conservation
2. Moreno Valley Industrial Area Plan (Specific Plan 208). City of Moreno Valley, amended March 12, 2002.
 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.080 – Liquid and Solid Waste
 4. Preliminary Drainage Analysis for Proposed Heacock Logistics Parking Lot, CASC Engineering and Consulting, May 12, 2021. (*Appendix G*)
 5. Water Quality Maintenance Plan (WQMP), CASC Engineering and Consulting, prepared May 28, 2021, amended April 18, 2022. (*Appendix H*)
 6. Moreno Valley Municipal Code Chapter 8.12 – Flood Damage Prevention
 7. Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations
 8. Eastern Municipal Water District (EMWD) Groundwater Reliability Plus, <http://gwrplus.org/>
 9. Eastern Municipal Water District (EMWD) 2015 Urban Water Management Plan

Discussion of Impacts

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less than Significant Impact with Mitigation Incorporated: Surface water resources in and near Moreno Valley include Lake Perris, Mystic Lake, and several small reservoirs and creeks throughout the City (see *Figure 1-1, Regional Vicinity*). Lake Perris is located over 4 miles south of the Project site. Water resources in the city and throughout Riverside County are sustained by substantial groundwater basins, which are used as reservoirs to store water during wet years. These underground reservoirs are tapped throughout the year according to the demand for water. While groundwater no longer provides a significant percentage of the local water supply for Moreno Valley, it is still an important natural resource for the area that should be protected (City of Moreno Valley, 2021). California's groundwater is regulated under the 2014 Sustainable Groundwater Management Act (SGMA), which requires Groundwater Sustainability Plans to be adopted for medium or high-priority basins. Moreno Valley's groundwater falls within the West San Jacinto Groundwater Management Area, along with most of the groundwater in western Riverside County. The San Jacinto Groundwater Basin is deemed a high priority basin but is not currently critically over drafted. The City is governed by the Santa Ana Regional Water Board for implementation of the federal Clean Water Act in California.

Construction Effects:

The proposed Project would involve grading, paving, pavement striping, and construction of an underground storage tank for water quality purposes, which could result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other pollutants with the potential to affect water quality. All new development projects equal to one acre or more are subject to Riverside County National Pollutant Discharge Elimination System (NPDES) Permit No. CAS 618033. The proposed Project would disturb approximately 9.14 acres of land and, therefore, will be subject to NPDES permit requirements during construction activities. Additionally, pursuant to Municipal Code

Section 8.21.170, the Project shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) for the Project site prior to commencement of Project construction activities. The SWPPP provides temporary measures to control discharges of sediment and other pollutants and includes methods to minimize water quality impacts and stabilize disturbed surfaces throughout the Project site during construction. The City engineer shall identify the BMPs that may be implemented to prevent such deterioration and shall identify the manner of implementation pursuant to Municipal Code Section 8.10.050. Therefore, Mitigation Measure **HYD-1** is identified to require the Applicant to prepare and submit a SWPPP and implement the BMPs identified by the SWPPP during construction activities. With adherence to the Project-specific SWPPP, relevant plans and programs, as well as the Municipal Code requirements, construction activities for the proposed Project would not violate any water quality standards or degrade surface or ground water quality. Construction related impacts would be less than significant with mitigation incorporated.

Operation Effects:

Urban runoff is typically associated with impervious surfaces, such as rooftops, streets, and other paved areas, where various types of pollutants may build up and eventually be washed into the offsite waters. The Project would be developed and operated in compliance with all applicable City and Regional Water Quality Control Board (RWQCB) regulations and water quality standards. Urban pollutants entering and potentially polluting the local water system would not be expected to occur as a result of the proposed Project. Additionally, the Applicant has prepared and submitted a Water Quality Management Plan (WQMP) to ensure that the Project will not cause an increase in storm water runoff and will include water quality treatment prior to discharge from the site (*see Appendix H*). The WQMP includes BMPs and source control BMPs to protect downstream watercourses after construction. Therefore, Mitigation Measure **HYD-2** is identified to require the Applicant to adhere to the Project-specific WQMP. Operation-related impact with regard to violations of water quality standards or waste discharge requirement and substantial degradation of surface or ground water quality will be less than significant with mitigation incorporated.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than Significant Impact with Mitigation Incorporated: Development of the proposed Project would increase the amount of impervious surface onsite which could reduce the amount of water percolating down into the underground aquifer that underlies the Project site and a majority of the City. However, the impact of an incremental reduction in groundwater would not be significant as domestic water supplies are not reliant on groundwater as a primary source (City of Moreno Valley, 2021). The Project would not impinge on, nor would otherwise affect, designated recharge areas. Furthermore, adherence to the Project-specific SWPPP and prepared WQMP required by Mitigation Measure **HYD-1** and **HYD-2** would ensure that construction and operational impacts of the Project would not degrade groundwater quality or groundwater recharge. The prepared Project-specific WQMP includes storm water best management practices (BMPs) addressing post-construction activities. The WQMP includes the requirement for

low impact development (LID) BMPs to address water quality concerns. LID comprises a set of technologically feasible and cost-effective approaches to stormwater management and land development that combine a hydrologically functional site design with pollution prevention measures to compensate for land development impacts on hydrology and water quality. LID techniques mimic the site's predevelopment hydrology by using site design techniques that store, infiltrate, evapotranspire, bio-treat, bio-filter, bio-retain, or detain runoff close to its source. Therefore, implementation of the mitigation measures would ensure that the Project would not significantly contribute to groundwater depletion, nor discernibly interfere with groundwater recharge. Based on the preceding discussions, the Project's potential impacts to groundwater availability, quality, or recharge capabilities, are considered less than significant with mitigation incorporated.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?

Stormwater and wetlands in Moreno Valley generally drain from north to south into the San Jacinto River, Canyon Lake, and ultimately to Lake Elsinore via three major storm drain channels: the Sunnymead Storm drain, the Kitching Storm drain, and the Perris Valley Storm drain. Like many communities in the region, Moreno Valley has a history of flooding, primarily in areas that are not fully developed and where storm drain system is not yet built out. Storms can result in flooding of drainage channels and areas immediately adjacent floodplains, while sheet flows can occur if the capacities of defined watercourses are exceeded. The Riverside County Flood Control and Water Conservation District (RCFCWCD) is the agency responsible for the regional flood control system. RCFCWCD has prepared four Master Drainage Plans within the City (Perris Valley, Sunnymead, Moreno and Moreno Valley West End), each of which covers a different portion of the City. The Project site falls within the Perris Valley Master Drainage Plan area.

The Riverside County Flood Control District and Water Conservation District (RCFC&WCD) and the City jointly maintain the storm drain system. Existing regulations at the State and regional level have been established to regulate discharge prohibitions, effluent limitations, and discharge specifications, receiving water limitations, and other provisions (i.e., monitoring and reporting, watershed management programs, control measures, and total maximum daily loads). Further, the City and RCFC&WCD have established additional local regulations for storm water runoff. Any new development or significant redevelopment are required to follow the established Low Impact Development (LID) principles and guidelines in the design of their site. New developments must not increase stormwater runoff downstream, both in rate and volume; rather they must capture it on-site for attenuation and/or recharge to control the stormwater runoff downstream.

- i. result in substantial erosion or siltation on- or off-site;

Less than Significant Impact: The proposed Project would not alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site. The proposed drainage patterns will mimic the existing condition by sheet flowing from the northwest corner of the site to the

southeast corner to a proposed underground catch basin (see *Appendix G*), and a less than significant impact would occur.

- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less than Significant Impact: As indicated above, the proposed Project will mimic existing drainage patterns. Furthermore, the proposed underground catch basin and sump and pump will reduce post-development flows to be less than pre-development flows (see *Appendix G*). Therefore, Project implementation would have a less than significant impact on surface runoff both on- and offsite.

- iii. or, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact: As discussed above in sections (i) and (ii), the Project proposes a drainage system that will mimic the existing drainage conditions and lessen stormwater flows. The proposed grading and drainage designs are anticipated to protect the proposed on-site improvements from the 100-year storm event without causing adverse impacts to the downstream drainage conditions (see *Appendix G*). Therefore, Project impacts would be less than significant.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact: The Pacific Ocean is located over 40 miles southwest of the Project site; consequently, there is no potential for tsunamis to impact the Project. In addition, no steep hillsides subject to mudflow are located on or near the Project site. The nearest dam to the Project site is Lake Perris, located approximately 2.8 miles east of the Project site (Google Maps, 2021). According to City of Moreno Valley General Plan FEIR Figure 5.5-2, Floodplains and High Fire Hazard Areas, the Project site is not located in an identified dam inundation area. There is no levee located within the vicinity of the Project site. According to applicable FEMA FIRM No. 06065C0761G, the Project site is located within “Zone X (unshaded),” which is not considered to be a flood hazard area (FEMA, 2008). Accordingly, the Project site has no potential to be impacted by seiches, mudflows, and/or tsunamis.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact with Mitigation Incorporated: The Project would be required to comply with the Santa Ana Region Basin Water Quality Control Program which includes the requirement to complete and submit a SWPPP for construction related activities. Additionally, the prepared WQMP demonstrates compliance with the City’s MS4 Permit and minimizes the release of potential waterborne pollutants.

Mitigation Measures **HYD-1** and **HYD-2** are identified to require the Applicant to prepare and submit a project specific SWPPP and adhere to the prepared WQMP. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan, and impacts would be less than significant with mitigation incorporated.

Mitigation Measures

Mitigation:

X

(a, b, e)

HYD-1: The City’s Municipal Separate Storm Sewer System (MS4) requires development projects to prepare and submit to the City for approval a site-specific Storm Pollution Prevention Plan (SWPPP) prior to the issuance of a grading permit. The Applicant shall adhere to and comply with the requirements noted in the respective project specific SWPPP for the duration of project-related activities.

HYD-2: The Applicant shall adhere to and comply with requirements noted in the City approved, project specific Water Quality Management Plan (WQMP) for the duration of project-related activities.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 2 – Community Development Element – Section 2.1 – Land Use
 - Map LCC-2: Concept Areas and Major Specific Plans
 - Map LCC-4: Proposed General Plan Land Use
 - Chapter 8 – 2014 – 2021 Housing Element
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.

- Section 5.12 – Population and Housing
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 4. Final Air Installations Compatible Use Zones Study, March Air Reserve Base, 2018.
 5. Moreno Valley Industrial Area Plan (Specific Plan 208), City of Moreno Valley, amended March 12, 2002
 6. City of San Bernardino General Plan, adopted November 1, 2005.
 7. Ontario International Airport Land Use Compatibility Plan, adopted April 19, 2011.

Discussion of Impacts

Would the project:

- a) Physically divide an established community?

Less than Significant Impact: The Moreno Valley Industrial Area Plan (Specific Plan 208) was adopted by the City on June 27, 1989 and was amended on March 12, 2002. The Project site is located within the southwestern portion of the Specific Plan planning area. Specific Plan 208 designates the site as a Clear Zone, which restricts land uses to open space, agriculture, automobile parking, and roads (SP p. III-3). SP 208 was intended to facilitate industrial development and related land uses to further economic development and expand the employment base. The surrounding land uses include the MARB to the northwest and vacant land and warehouses to the north, south, and east. No established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community.

Although the Project site is not located near or within an established community, the parcel (APN 316-211-015) directly east of the Project site is currently landlocked and thus would need access at the time the parcel is developed. Thus, the Project Applicant proposes a 24-foot access easement along the northerly property boundary (see *Figure 1-5, Site Plan*) to provide access to the landlocked parcel. Thus, with the proposed easement, the potential for the Project to physically divide an established community is less than significant.

- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact:

The Project site is currently designated as Open Space per the City's General Plan Update (June 15, 2021) as illustrated in *Figure 1-3, General Plan Land Use Map*. Per the City's Zoning Map dated January 22, 2020, the Project site is designated as SP 208 CZ, see *Figure 1-4, Zoning Map*. Although the March 3, 2022 Zoning Map update does not explicitly identify the Project site as SP 208 CZ, the Specific Plan 208 boundary has not changed. Therefore, the Project site remains within SP 208 and is designated as CZ.

Specific Plan 208

The Project site is located within the Moreno Valley Industrial Area Specific Plan (SP 208) (City of Moreno Valley, Map LCC-2, 2021). SP 208 designates the Project site as Clear

Zone (CZ) with land uses restricted to open space, agricultural, automobile parking, and roads. As noted within the SP 208, p. 1-5, actions deemed to be consistent with the Area Plan will be judged to be consistent with the Moreno Valley General Plan, as mandated in Section 65454 of the California Government Code. Therefore, the proposed Project is consistent with the City’s General Plan and Zoning designation. The City’s Municipal Code allows the City to approve projects within a specific plan area only if the project is consistent with the Specific Plan (Moreno Valley Mun. Code, sec. 9.13.100). As the Project is proposing to develop a parking lot, the Project is consistent with the specific plan CZ designation and is therefore consistent with the General Plan land use designation.

Airport Land Use Commission (ALUC)

In addition, the Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan (ALUC). ALUC identifies that “*automobile parking lots are acceptable as open space areas*” free of most structures and other major obstacles such as walls, large trees, or poles (greater than 4 inches in diameter, measured 4 feet above the ground, and overhead wires” (ALUC Policy Section 4.32.4). In addition, pursuant to Policy 1.5.2, ALUC Commission policy is that only major land use actions listed in Policy 1.5.3 shall be submitted for review. The proposed Project is a parking lot which is a permitted land use under SP 208 (subject to plot plan approval) and does not require any legislative actions. Thus, ALUC review is not required.

Zone A prohibits non-aeronautical structures, assemblage of people, objects exceeding height limits determined by the Federal Aviation Administration (FAA), all storage of hazardous materials and all hazards to flight. The Project has been designed so there will be no structures, no assemblage of people, no objects exceeding FAA height limit, and no storage of hazardous materials on the Project site.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 2 – Land Use & Community Character

- Map LCC-4: Proposed General Plan Land Use
- 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.12 – Mineral Resources
 - Figure 4.12-1 Mineral Resource Zones
- 3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.02.120 – Surface Mining Permits
- 4. The Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796), <https://www.conservation.ca.gov/dmr/lawsandregulations>

Discussion of Impacts

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less Than Significant Impact: The Moreno Valley General Plan does not identify any mineral resource recovery sites or designate land for mineral resource production within the vicinity of the Project site. SMARA regulations govern the extraction of mineral resources and eventual reclamation of mining operations, allowing for the mining of any locally important mineral resources while precluding or minimizing potentially adverse environmental effects. Mineral Land Classification (MLC) studies are produced by the State Geologist as specified by the Surface Mining and Reclamation Act (SMARA, PRC 2710 et seq.) of 1975. The mineral potential within the City is very limited.

The Project site is not located within an area known to be underlain by regionally -or locally- important mineral resources, as disclosed by the City's General Plan and associated General Plan DEIR. The General Plan indicates that the Project site is located within an MRZ-3 (Mineral Resource Zone 3) classification, in which the significance of mineral deposit cannot be evaluated; however, it is unlikely that the site would be considered viable for mineral extraction (MoVal 2040 Project EIR, 2021, p. 4.12-4). Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. Impacts would be less than significant.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Less than Significant Impact: As stated above in Section (a), the Project site is not located within an area designated to contain locally important mineral resources. The Project site is within an area of undetermined mineral resource significance, identified as zone MRZ-3. The City's General Plan does not identify any locally-important mineral resource recovery sites. Thus, Project implementation would have a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Noise – Would the project result in:				
a) Generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 7 – Noise
 - Map N-1: Existing Noise Contour
 - Map N-2 : MARB Noise Contour
 - Map N-3 : Future Noise Contour
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.13 – Noise
 - Figure 4-13.3 March Air Reserve Base Noise Contours
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
 - Section 9.10.140 Noise and Sound
4. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations
5. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, <http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700>
6. “RIV March Arb Airport (RIV/KRIV).” FlightAware, accessed October 17, 2021. <https://flightaware.com/live/airport/KRIV>.

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Discussion of Impacts

Would the project result in:

- a-b)** Generation of a substantial, temporary, or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Generation of excessive ground-borne vibration or ground-borne noise levels?

Less than Significant Impact: The Project site is surrounded by the March Air Reserve Base (MARB) to the northwest and industrial uses to the north, south, and east. The Project site is zoned as SP 208 CZ, which restricts land use to open space agriculture, automobile parking, and roads. Additionally, the Project site is located within Zone A of the MARB Land Use Compatibility Plan. The noise levels surrounding the Project site are projected to be between 70 and 75 dB. Over the past three (3) years, MARB has had a range of flight activity from a minimum of four (4) arrivals and departures per day to a maximum of forty-five (45) arrivals and departures per day (FlightAware). In 2021, the average departures per day ranged between twenty (20) to thirty (30) flights. Thus, with the existing noise levels surrounding the site, Project implementation would have a less than significant impact on noise levels.

Construction Effects:

The Municipal Code Section 8.14.040(E) states that construction within the City shall only occur from 7AM to 7PM from Monday through Friday excluding holidays and from 8AM to 4PM on Saturdays. A noise disturbance is defined as a sound that disturbs a reasonable person of normal sensitivities, exceeds the sound level limits set forth in the Noise Ordinance, or is plainly audible (as measured at a distance of 200 feet from the property line of the source of the sound if the sound occurs on privately owned property, or public right-of-way, public space, or other publicly owned property). The Municipal Code does not establish quantified limits for vibration levels. Section 9.10.170 states that "No vibration shall be permitted which can be felt at or beyond the property line."

Construction noise is expected to occur from site grading, and construction of the parking lot, and perimeter fence. Noise generated from Project construction equipment will include a combination of trucks, power tools, concrete mixers, and other equipment that when combined, can reach high levels. However, all construction of the Property will occur during hours permitted by the City's Municipal Code and therefore, will result in a less than significant impact. Project construction can generate varying degrees of ground-borne vibration, depending on the construction procedure and the construction equipment employed. Operation of construction equipment generates vibrations that spread through the ground and diminishes in amplitude with distance from the source. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. The proposed Project would generate ground-borne vibration during site grading; however, the ground-borne vibration and ground-borne noise levels would not be considered excessive. The potential impacts associated with construction vibration would be less than significant and the operations of the Project would not create any ground-borne vibration or ground-borne noise. Thus, impacts would be less than significant.

Operation Effects:

The parking lot will be secured with a gated entrance. Shuttles to the site will drop and/or pick-up drivers or vehicles off at the site and return to their original destinations. There will be no employees stationed at the gated entry. There may be potentially up to two security personnel checking the site throughout the day and/or evening. Thus, people on the site will be temporary and on a limited basis. An Environmental Impact Report for SP 208 was prepared which analyzed the proposed land uses allowed in the CZ designation and determined that there were no significant impacts.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less than Significant Impact: As stated above in Section (a-b), the Project site is located within Zone A of the March Air Reserve Base Airport Land Use Compatibility Plan. Due to the Project site's proximity to MARB and the site's location within Zone A, the Project is subject to high noise levels, which can be expected to have a 70-75 dB activity level. However, the Project site is within Specific Plan 208 CZ which identifies agriculture, automobile parking and open space as compatible land uses. There will be no employees stationed on the site. According to the Applicant, there may be up to two employees checking the site for security purposes; however, it is anticipated that these two employees would typically remain within a vehicle and not more than five (5) minutes as they drive on the site. Thus, they should not be exposed to excessive noise levels. Therefore, Project implementation would cause a less than significant impact.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Population and Housing – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 2 – Land Use & Community Character
 - Map LCC-4: Proposed General Plan Land Use
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.14 – Population and Housing
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code

Discussion of Impacts

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact: The Project does not propose new residential development and would not directly contribute to population growth within the City. The Project will remain zoned as SP 208 CZ, which restricts land use to open space, agricultural, parking and roads. Although the Project includes infrastructure improvements, these improvements are small and unlikely to encourage unanticipated population growth. Based on the preceding, the Project would have no impact on substantial unplanned population growth.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact: No housing currently exists within the Project site and the Project does not propose uses or activities that would otherwise displace housing assets or persons. Based on the preceding, the proposed Project would have no impact related to displacement of housing or displacement of people.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services – Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental				

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impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 – Parks & Public Services
 - Section 5.2 – Parks and Open Space Network
 - Section 5.10 – Integrated Public Facilities and Inclusive Community Services
 - Map PPS-3: Public Facilities
 - Section 5.13 – Public Safety
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.15 – Public Services and Recreation
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. School District Locator, Riverside County Office of Education, County Superintendent of Schools

Discussion of Impacts

Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:
- i. Fire protection?

Less than Significant Impact: Fire protection services to the Project site are provided by the Moreno Valley Fire Department (MVFD). The Project site is served by the Kennedy Park Fire Station (Station No. 65), located at 15111 Indian Avenue, approximately 2 miles to the northeast of the Project site. Additional services in the vicinity are the College Park Fire Station, located 2.8 miles northeast of the Project and the Morrison Park Fire Station, located 5 miles northeast of the Project site (City of Moreno Valley, 2021). Thus, the Project would be adequately served by fire protection

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services, and no new or expanded unplanned facilities would be required. Impacts to fire protection facilities would be less than significant.

ii. Police protection?

Less than Significant Impact: Police protection services to the Project site are provided by the Moreno Valley Police Department. The Project site is served by the Moreno Valley Police Station, located at 22850 Calle San Juan De Los Lagos, approximately 3.9 miles northwest of the Project site. The Project does not include buildings and would not have long-term employees at the Project site. During construction, there will be workers at the Project site, which would result in a short-term increase in demand for police protection services. The Project is not anticipated to require or result in the construction of new or physically altered police facilities. Based on the foregoing, the proposed Project would receive adequate police protection service, and would not result in the need for new or physically altered police protection facilities. Impacts to police protection facilities would therefore be less than significant.

iii. Schools?

No Impact: The Project site is located within the boundaries of the Val Verde Unified School District. The nearest schools are Val Verde Academy and High School, located 1.4 miles southwest of the Project; Rancho Verde High School located 1.9 miles east of the Project; and El Potero Preschool and Mary McLeod Bethune Elementary School, located 1.9 miles northeast of the Project site.

Development of the Project site as proposed by the Project would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The proposed Project is not expected to draw new residents to the region and would therefore not indirectly generate school-aged students requiring public education. The Project would not cause or contribute to a need to construct new or physically altered public school facilities. There would be no impact to public schools and no further analysis of this subject is required.

iv-v. Parks and Other public facilities?

No Impact: The City of Moreno Valley's Parks and Community Services Department maintains approximately 482 acres of parkland, which consists of seven community parks, 24 neighborhood parks, four specialty parks and 15 miles of trails/greenways (MoVal 2040 Project EIR, 2021, p. 4.15-11). The nearest park is El Potrero Community Park, located approximately 1.6 miles northeast of the Project site.

The Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. As discussed under (ii) and (iii) above, the Project would not create a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact

would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Recreation				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 – Parks & Public Services
 - Section 5.4 – Parks and Open Space Network
 - Map PPS-1: Existing and Planned Parks and Recreation Facilities
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.15 – Public Services and Recreation – 4.15.5.2 Topics 2 and 3: Parks and Recreation Facilities
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. California Government Code § 66477

Discussion of Impacts

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact: The Project proposes to develop the site with a parking lot for automobiles. The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, no impact would occur, and no further analysis of this subject is required.

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- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact: The Project proposes to develop the site with a parking lot for automobiles. The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Thus, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. Thus, no impact would occur, and no further analysis of this subject is required.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation/Traffic – Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 4 Circulation Element
 - Map C-1: Circulation Diagram
 - Map C-2: Existing and Planned Bicycle and Pedestrian Network
 - Map C-3: Transit Lines and Facilities
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.16 – Transportation
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 3.18 Special Gas Tax Street Improvement Fund

5. Moreno Valley Master Bike Plan, adopted January 2015.
6. Riverside County Transportation Commission, Congestion Management Program, December 14, 2011.
7. Focused Traffic Impact Analysis for the Heacock Logistics Parking Lot Project. Prepared by Linscott, Law and Greenspan Engineers, May 19, 2022. (*Appendix I*)

Discussion of Impacts

Would the project:

- a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than Significant Impact: Per request of the City on July 8, 2021, Linscott, Law & Greenspan Engineers (LLG) conducted a Focused Traffic Impact Analysis for the Heacock Logistics Parking Lot Project, dated May 19, 2022 (*Appendix I*). The results of the traffic analysis indicate that the proposed automobile parking will not significantly impact the existing surrounding roadway network without and with the Heacock Street Extension. The two (2) key study intersections of Heacock Street at Nandina Avenue and Webster Avenue at Harley Knox Boulevard, and the one (1) Project driveway are forecast to operate in the Year 2023 at acceptable levels of service (LOS) B or better during the AM peak hour and PM peak hour without and with the Heacock Street Extension. Therefore, no improvements are required under Year 2023 Cumulative Plus Project traffic conditions. The Cumulative Plus Project traffic conditions take into consideration the traffic generation of ten (10) cumulative projects within a one-mile radius of the Project site. Additionally, based on the low amount of project volume entering the site, project vehicles will not queue back onto Heacock Street, as the queue is expected to be no more than one project vehicle.

Traffic generation is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. The proposed Project for automobile parking is forecast to generate 158 daily trips (*see Appendix I*). The Traffic Impact Analysis concluded that that the daily vehicle trips associated with the proposed Project is below the thresholds requiring the preparation of a Vehicle Miles Traveled (VMT) analysis report. Although the Project will add additional traffic along Heacock Street during the construction phase, this traffic will be minimal and temporary in nature.

The Moreno Valley General Plan Circulation Element identifies Heacock Street as an Arterial roadway that will connect to Harley Knox Boulevard and N. Webster Avenue. Heacock Street currently ends at the southwest corner of the Project site just before the Perris Valley Storm Drain. The Heacock Street Extension planned changes include the construction of a 100-foot right-of-way (ROW) with a Class II bike lane to connect the existing portion of Heacock Street to Harley Knox Boulevard and N. Webster Avenue.

Based on the Focused Traffic Impact Analysis (*see Appendix I*), Project operation will have minimal traffic impacts. The proposed Project will include infrastructure improvements per the guidelines set forth by the City. Therefore, the proposed Project would be consistent with any program, plan, or ordinance or policy addressing the

circulation system, including transit, roadway, bicycle, and pedestrian facilities. Thus, a less than significant impact would occur.

- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact: CEQA Guidelines Section 15064.3 subdivision (b) pertains to Vehicle Miles Traveled (VMT) and whether the land use project will generate vehicle miles traveled in excess of an applicable threshold of significance. Vehicle trips associated with the Project are below thresholds requiring preparation of a Vehicle Miles Traveled (VMT) analysis; therefore, a less than significant impact would occur.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact: The proposed Project does not include any sharp curves or traffic intersection crossings. The proposed Project will only add one (1) driveway approach along Heacock Street and will not alter the geometric design of the existing street, see Figure 1-5: Site Plan. The traffic impact analysis indicates that the proposed Project will not significantly impact either of the two (2) key study intersections without and with the Heacock Street Extension. Given that there are no significant project impacts, no street improvements are required. Therefore, no impact will occur.

- d) Result in inadequate emergency access?

Less than Significant Impact: The proposed Project would be compatible with the design and operation of the street network and would not result in any major modifications to the existing access or circulation features. The Project proposes one (1) full-access driveway on Heacock Street. The Project will conform with local, state, and federal regulations regarding circulation and traffic pattern design. The driveway would accommodate traditional fire apparatus, allowing for adequate emergency access. The Project would not result in inadequate emergency access to the Project Site. Thus, a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>XVIII. Tribal Cultural Resources – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				

<p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project Impacts and Mitigation Measures

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 10- Open Space and Resource Conservation
2. Moreno Valley General Plan Draft Program Environmental Impact Report
 - Section 4.5 – Cultural and Tribal Resources
 - Table 4.5-1 List of Historic Resources and their Eligibility Status
 - Figure 4.5-1 Historic Resources
 - Figure 4.5-2 Archaeological Sensitive Areas
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Title 7 – Cultural Preservation
5. Cultural Resources Survey Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, Riverside County, California prepared by CRM Tech, September 25, 2021. *(Appendix C)*
6. Paleontological Resources Assessment Report for Heacock Logistics Tractor/Trailer Parking Lot, City of Moreno Valley, County of Riverside, California prepared by CRM Tech, September 27, 2021. *(Appendix D)*
7. California Public Resources Code
 - Section 21074
 - Section 50.20.1(k)
 - Section 50.24.1
 - Sections 21080.1, 21080.3.1, and 21080.3.2
8. Moreno Valley Tribal Mitigation Measures, received January 11, 2022

Discussion of Impacts

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

Less than Significant Impact: On June 3, 2021, CRM Tech submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission’s Sacred Lands File. In a response letter from NAHC, dated

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June 24, 2021, NAHC states that the Sacred Lands File identified no Native American cultural resources in the Project vicinity (*see Appendix D*). CRM Tech also reached out to invite a member of the Soboba Band of Luiseño Indians to participate in a field survey of the Project site. On July 26, 2021, CRM Tech archaeologist carried out an intensive field survey of the Project area with the assistance of tribal monitor Victoria Banda from the Soboba Band of Luiseño Indians. The intensive- level field survey produced completely negative results for potential cultural resources, and no buildings, structures, objects, sites, features, or artifact deposits of prehistoric or historical origin were encountered. The entire Project site has been extensively disturbed due to many years of previous agricultural activities. No bedrock outcrops or other potential markers of prehistoric human activities were found in the Project area. A segment of Lateral B-Oleander Channel of the Perris Valley Storm Drain, adjacent to the southern Project boundary, was previously recorded into the California Historical Resources Inventory as Site 33-024867 but was determined not to be eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. Furthermore, no tribal cultural resources that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), have been identified or associated with the Project site. The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). Therefore, a less than significant impact would occur as a result of the Project.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant Impact: The Project site does not contain any known resources determined by the lead agency, in its discretion and support by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. It is possible that tribal cultural resources exist at a depth given the prehistoric occupation of the region. As mentioned in the Mitigation Measures of section V. Cultural Resources, an archaeologist and Tribal monitors will be present during all earth-moving activities regarding the Project. If human remains or artifacts are unearthed, they will be analyzed and, if they are found to be of human prehistoric origin, council from on-site Native American tribes will be sought. The California Native American Heritage Commission's Sacred Lands File identified no Native American cultural resources within the Project site, and the site survey, which was accompanied by the Soboba Band of Luiseño Indians tribal monitor, found no indication of tribal cultural resources within the Project site. Therefore, a less than significant impact to resources considered significant by a California Native American tribe is expected to occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems – Would the project:				
a) Require or result in the relocation or construction of new or expanded water or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 5 – Parks & Public Services – Section 5.16 – Utilities
2. Final Draft Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive Plan Update, Housing Element Update, and Climate Action Plan, RECON Environmental, Inc., April 2, 2021.
 - Section 4.0 – Environmental Analysis – Section 4.17 Utilities/Service Systems
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
4. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls

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5. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (*NPDES*).
6. Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste

Discussion of Impacts

Would the project:

- a) Require or result in the relocation or construction of new or expanded water or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact: The proposed Project involves the construction of a 194-stall automobile parking lot on 9.14 acres. Water supply and wastewater treatment are provided to the Project site by EMWD. No additional or non-standard treatment is required to specifically meet the Project's water supply and/or wastewater conveyance and treatment demands. The Project is required to conform with City regulations relating to stormwater runoff and discharge. Adequate stormwater management systems and Best Management Practices (BMPs) shall be incorporated into the Project to reduce impacts to existing City drainage infrastructure. Based on the preceding, the Project's potential to require the construction or relocation of new or expanded water or wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects, is considered less than significant.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less than Significant Impact: The City of Moreno Valley is served by two water purveyors: Eastern Municipal Water District (EMWD) and the Box Springs Mutual Water Company. EMWD is the primary water purveyor for the City and would provide water service to the Project. Water demands of the Project are consistent with the EMWD 2015 Urban Water Management Plan (UWMP). The proposed Project involves the construction of a 194-stall automobile parking lot that is consistent with the zoning designation and Specific Plan. EMWD plans to meet increases in projected demands through a combination of local supply development and ongoing water conservation. EMWD is in the process of completing master planning documents that investigate optimal supply portfolios to meet the agency's needs. Sufficient water supplies are available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts are expected to be less than significant.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less than Significant Impact: Wastewater service will be provided to the Project site by

EMWD. Wastewater generated by the Project would be collected and conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF). This facility has a capacity to treat 16 million gallons of wastewater per day (mgd) and a capacity to expand to 41 mgd. The utilization in the year 2002 was approximately 11 mgd. The Project would pay applicable sewer connection and service fees, providing funds available for EMWD wastewater system expansion and maintenance, acting to offset the Project's incremental demands for wastewater collection and treatment services. Given that the Project proposes a low intensity land use, as zoned as SP 208 CZ, wastewater from the proposed Project is not anticipated to exceed the capacity to the wastewater treatment provider, even when considering existing and cumulative demand. Impacts are expected to be less than significant.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact: Locally generated solid waste is deposited in several local landfills, including the Badlands Sanitary Landfill at the eastern end of Ironwood Avenue. The Badlands Sanitary Landfill is owned and operated by the Riverside County Waste Resources Management District. The proposed Project would minutely increase the volume of solid waste generated in the County.

In these regards, the California Integrated Waste Management Act under the Public Resources Code requires that local jurisdictions divert at least 50% of all solid waste generated by January 1, 2000. The City remains committed to continuing its existing waste reduction and minimization efforts with the programs that are available through the City. Additionally, beginning July 1, 2012, the State of California required that all businesses that generate four cubic yards or more of refuse per week implement a recycling program. This requirement is set forth in Assembly Bill 341, which was passed by the California legislation in October 2011. The Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the City.

Commercial uses proposed by the Project, and solid waste generated by those uses, would not otherwise conflict with federal, state, and local statutes and regulations related to solid waste. Based on the preceding, the potential for the Project to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals is less than significant.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact: The Project would be implemented and operated in compliance with applicable City General Plan Goals and Policies, and would comport with City Zoning regulations—specifically, the Project would comply with local, state, and federal initiatives and directives acting to reduce and divert solid waste from landfill waste streams. As described in section (d) above, the Project would comply with the California Integrated Waste Management Act and AB 341 as implemented by the City. The proposed Project is required to comply with all applicable federal, state, County, and City statutes and regulations related to solid waste as a standard project condition of approval. Therefore,

no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Wildfire – If located in or near a State Responsibility Area (“SRA”), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Project Impacts and Mitigation Measures

Sources:

1. Moreno Valley General Plan, adopted June 15, 2021.
 - Chapter 6 – Safety Element
 - Map S-3: Landslide Hazards
 - Map S-4: Flood Hazard Areas
 - Section 6.8 Wildfire Hazards
 - Map S-5: Fire Hazard Severity Zones
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified June 15, 2021.
 - Section 4.18 – Wildfire

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

3. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf
 - Chapter 6 – Flooding
 - Figure 6-1 – Moreno Valley Flood Zones 100 & 500 Year Zones 2017
4. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf
 - Threat Assessment 3 – Wildfire
5. California Department of Forestry and Fire Protection. Very High Fire Hazard Severity Zones in LRA – Western Riverside County. December 2009.

Discussion of Impacts

If located in or near a State Responsibility Area (“SRA”), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact: The Project site is not located within a fire hazard zone, as identified on the latest Fire Hazard Severity Zone (FHSZ) maps prepared by the California Department of Forestry and Fire Protection (CALFIRE). The nearest fire hazard zone to the Project site is located approximately 2 miles northeast in the Bernasconi Hills area. There are no wildland conditions in the urbanized area where the Project is located. Additionally, the proposed Project will not substantially impair an adopted emergency response plan or emergency evacuation plan and no impact will occur.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact: The California Department of Forestry and Fire Protection (CAL FIRE) designates Fire Hazard Severity Zones (FHSZs) throughout the state based on factors such as fuel, slope, and weather to indicate varying degrees of fire hazard (i.e., moderate, high, and very high). According to the Moreno Valley General Plan, wildland fire is of minimal concern in most of the City due to the urbanized landscape. However, some areas within the City limit and the surrounding rolling hills are highly prone to fire due high temperatures, low annual precipitation, and the annual grasses and shrubbery that cover the hills.

As discussed above in section (a), the Project site is not located within a fire hazard zone, and there are no wildland conditions in the urbanized area where the Project site is located. Therefore, the Project will not exacerbate wildfire risks, thereby exposing Project occupants or visitors to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impact will occur.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact: The Project site is not located within or near any State Responsibility Areas. As a result, none of the Project improvements would exacerbate fire risk or will result in a temporary or ongoing impact from wildfires requiring installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact will occur.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact: The Project site is not located within or near any State Responsibility Areas that would expose people or development to significant risks from post-fire instability or drainage changes. The Project site is not located within any FEMA 100-year Floodplains or Landslide Hazard Areas; however, the Local Hazard Mitigation Plan identifies that the Project site is within a 500-year Floodplain. Given that the Project site is located in an urban environment and is not in proximity to a State or Local Responsibility Area, the Project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. Mandatory Findings of Significance				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

the effects of other current projects, and the effects of probable future projects)?				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or prehistory?

Less than Significant Impact with Mitigation Incorporated: The proposed Project would not substantially impact any scenic vistas, scenic resources, or the visual character of the area, and would not result in excessive light or glare. The Project site is located within a developed area that contains light industrial uses as well as MARB. The proposed Project would not significantly impact any sensitive plants, plant communities, fish, wildlife, or habitat for any sensitive species with incorporation of Mitigation Measure **BIO-1**.

As described in Section IV, adverse impacts to historical resources would be less than significant. Construction-phase procedures would be implemented in the event any important cultural, archaeological, or paleontological resources are discovered during grading, consistent with Mitigation Measures **CR-1** through **CR-8**.

Furthermore, the analysis provided in Section III and VIII concludes that impacts related to emissions of criteria pollutants, climate change, and other air quality impacts would be less than significant.

Based on the preceding analysis of potential impacts in the responses to Sections I through XX, no evidence is presented that the proposed Project would degrade the quality of the environment. Impacts related to degradation of the environment, biological resources, and cultural resources would be less than significant with mitigation incorporated.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than Significant Impact with Mitigation Incorporated: Cumulative impacts can result from the interactions of environmental changes resulting from one proposed Project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public systems, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short-term and temporary, usually consisting of overlapping construction impacts, as well as long-term, due to the permanent land use changes and operational characteristics

Attachment: Exhibit A to Reso 2023-XX Heacock Logistics Initial Study (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

involved with the proposed Project. The analysis in Section III related to air quality found that impacts would be less than significant with incorporation of Mitigation Measure **AQ-1**; therefore, the Project would not contribute to localized or regional cumulative impacts. Additionally, the analysis in Section IV found that no individual impacts to sensitive species or migratory birds would occur with incorporation of Mitigation Measure **BIO-1**. The Project would have no other impacts on biological resources and would not result in localized or regional cumulative impacts.

Loss of on-site archaeological resources could reduce or eliminate important information relevant to the County of Riverside and the City. Mitigation Measures **CR-1** through **CR-8** are incorporated to reduce impacts to archaeological and paleontological resources, as well as buried Native American remains/artifacts. Implementation of the mitigation measures would eliminate any potential loss of important local archaeological information or Native American remains that may be buried at the Project Site; therefore, the proposed Project would have no contribution to a cumulative loss of important local or regional archaeological knowledge.

Section X concludes that impacts related to hydrology and water quality would be less than significant with incorporation of Mitigation Measures **HYD-1** and **HYD-2** to require the preparation of a SWPPP and adherence to the City approved WQMP. Impacts on the local or regional level would be less than significant with incorporation of mitigation and the Project's contribution would not be considerable.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact: Based on the analysis of the Project's impacts in the responses to items I through XX, there is no indication that this Project could result in substantial adverse effects on human beings. While there would be a variety of temporary adverse effects during construction, these would be less than significant. There are no long-term effects related to traffic, noise, hazardous materials, emissions of criteria pollutants and greenhouse gas emissions, increased demand for water use, wastewater disposal, and electricity use, or increased demand on emergency response services. Environmental effects would result in less than significant impacts. Based on the analysis in this Initial Study, direct and indirect impacts to human beings would be less than significant.

CHAPTER THREE – PREPARERS

City of Moreno Valley

Julia Descoteaux, Senior Planner

CASC Engineering and Consulting, Inc.

Frank Coyle, Director of Planning

Sabrina Snowball, Associate Planner

Ben Hamada, GIS Specialist

**CITY OF MORENO VALLEY
NOTICE OF INTENT
MITIGATED NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that the City of Moreno Valley is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of the CEQA guidelines. A copy of the **MITIGATED NEGATIVE DECLARATION** and the **ENVIRONMENTAL CHECKLIST**, which supports the proposed findings, are on file at the City of Moreno Valley.

Project: Plot Plan (PEN21-0102)
 Applicant: Lawrence Family Trust
 Owner: Lawrence Family Trust
 Representative: Frank Coyle, CASC Engineering & Consulting
 Location: East side of Heacock Street north of the Perris Valley Storm Drain (APN: 316-211-014)
 Proposal: The applicant is requesting approval of the following entitlement: Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres in the Moreno Valley Industrial Area Plan, Clear Zone District (Specific Plan 208)
 Council District: 4

This Notice of Intent (NOI) has been prepared to notify agencies and interested parties that the City of Moreno Valley, as the Lead Agency, has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the requirements of the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with construction and operation of the project as described below.

Project Description: The Project includes a parking lot designed with 12' x 30' parking stalls for automobile parking as illustrated in *Figure 1-5 Site Plan*. Although the proposed Site Plan identifies 194 parking stalls, the Traffic Impact Analysis (TIA) dated May 19, 2022, prepared for the Project analyzed up to 440 automobiles. Thus, the analysis in this IS/MND assumes up to 440 automobiles parked at the site.

The Project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Document Availability: The Initial Study/Mitigated Negative Declaration, and all documents incorporated and/or referenced therein, can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed on the City's website at <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>.

Potential Environmental Impacts: The City of Moreno Valley has prepared an Initial Study to determine the environmental effects associated with the above actions and finds the issuance of a Mitigated Negative Declaration is the appropriate level of environmental review. The Initial Study/Mitigated Negative Declaration concludes that all potentially significant impacts of the Project would be mitigated to a less than significant level.

Comment Deadline: Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 20-day public review period for the Initial Study/Mitigated Negative Declaration, which begins September 29, 2022, and ends October 18, 2022. Written comments on the Initial Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department by no later than the conclusion of the 20-day review period, 5:30 p.m. on October 17, 2022. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Julia Descoteaux, Senior Planner
 14177 Frederick Street
 Post Office Box 88005
 Moreno Valley, California 92552 Phone: (951) 413-3206
 Email: juliad@moval.org

Sean Kelleher, Planning Official
 Community Development Department

Press-Enterprise
 Newspaper

September 29, 2022
 Date of Publication



MITIGATION MEASURES FOR HEACOCK LOGISTICS PARKING LOT

Mitigation Measures:

No.	Mitigation Measure
AQ-1	<p>During clearing, grading, earth moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular water or other dust preventative measures using the following procedures, as specified in SCAQMD Rule 403:</p> <ul style="list-style-type: none"> • Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. • Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. • Indicate these control techniques in project specifications. Compliance with the measure will be subject to the City. • Prevent visible dust from the Project from emanating beyond the property line, to the maximum extent feasible. • All trucks hauling dirt, sand, soils, or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).



MITIGATION MEASURES FOR HEACOCK LOGISTICS PARKING LOT

	<ul style="list-style-type: none"> Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin.
<p>BIO-1</p>	<p>Burrowing Owls A 30-day preconstruction Burrowing Owl Survey shall be performed by a qualified biologist recognized by the County of Riverside. The Applicant must provide documentation to the City confirming the “qualified” status of the biologist. The Burrowing Owl Survey results must be provided to the City prior to the issuance of a grading permit. After the survey, a technical memorandum of findings shall be prepared and sent to the California Department of Fish and Wildlife (CDFW), Environmental Programs Department (EPD) at the County of Riverside, and the Regional Conservation Authority.</p> <p>If the Project site is found positive for burrowing owl, coordination with CDFW will be mandatory and additional exclusionary and relocation efforts will be necessary.</p>
<p>CR-1</p>	<p>Archeological Monitoring Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians, the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p>
<p>CR-2</p>	<p>Native American Monitoring Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Luiseno Indians and Soboba Bank of Luiseno Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days’ advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p>

Attachment: Exhibit C to Resolution 2023-XX_Mitigation Monitoring & Reporting Program (6119 : Plot Plan PEN21-0102 for an Automobile



MITIGATION MEASURES FOR HEACOCK LOGISTICS PARKING LOT

CR-3	<p>Cultural Resource Monitoring Plan (CRMP)</p> <p>The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:</p> <ol style="list-style-type: none"> a. Project description and location b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the Project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project;
CR-4	<p>Cultural Resource Disposition</p> <p>In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <ol style="list-style-type: none"> a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: <ol style="list-style-type: none"> i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the

Attachment: Exhibit C to Resolution 2023-XX_Mitigation Monitoring & Reporting Program (6119 : Plot Plan PEN21-0102 for an Automobile



MITIGATION MEASURES FOR HEACOCK LOGISTICS PARKING LOT

	<p style="text-align: center;">Consulting Native American Tribal Governments prior to certification of the environmental document.</p> <p>The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."</p>
<p>CR-5</p>	<p>Inadvertent Finds</p> <p>If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</p>
<p>CR-6</p>	<p>Human Remains</p> <p>If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).</p>
<p>CR-7</p>	<p>Non-Disclosure of Reburial Locations</p> <p>It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be</p>

Attachment: Exhibit C to Resolution 2023-XX_Mitigation Monitoring & Reporting Program (6119 : Plot Plan PEN21-0102 for an Automobile



MITIGATION MEASURES FOR HEACOCK LOGISTICS PARKING LOT

	disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
CR-8	<p>Archeology Report - Phase III and IV</p> <p>Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</p>
HYD-1	The City's Municipal Separate Storm Sewer System (MS4) requires development projects to prepare and submit to the City for approval a site-specific Storm Pollution Prevention Plan (SWPPP) prior to the issuance of a grading permit. The Applicant shall adhere to and comply with the requirements noted in the respective project specific SWPPP for the duration of project-related activities.
HYD-2	The Applicant shall adhere to and comply with requirements noted in the City approved, project specific Water Quality Management Plan (WQMP) for the duration of project-related activities.

Attachment: Exhibit C to Resolution 2023-XX_Mitigation Monitoring & Reporting Program (6119 : Plot Plan PEN21-0102 for an Automobile

RESOLUTION NUMBER 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING APPEALS (PAA22-0005) AND (PAA23-0003) AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF PLOT PLAN (PEN21-0102) FOR THE PROPOSED AUTOMOBILE PARKING LOT LOCATED ON THE EAST SIDE OF HEACOCK STREET NORTH OF THE PERRIS VALLEY STORM DRAIN (APN 316-211-014)

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California; and

WHEREAS, Lawrence Family Trust ("Applicant") has submitted an application for a Plot Plan (PEN21-0102) to develop an automobile parking lot and certain public improvements on 9.14-acres ("Proposed Project") which is currently vacant and unimproved and located on the east side of Heacock Street north of the Perris Valley Storm Drain (APN 316-211-014) ("Project Site"); and

WHEREAS, pursuant to Section 9.02.070 (Plot Plan) of the Municipal Code, the Proposed Project was subject to the major development review process, which is why it was presented to the Planning Commission, which is vested with the authority to approve plot plans of this nature; and

WHEREAS, a duly noticed public hearing was initially scheduled by the Planning Commission on October 27, 2022, to consider the Proposed Project's MND, the MMRP, and the Proposed Project, which was continued at the Applicant's request to December 22, 2022; and

WHEREAS, on December 22, 2022, at the duly noticed continued public hearing the Planning Commission considered the Proposed Project's MND, the MMRP, and the Proposed Project, at which time the Planning Commission considered the Initial Study, MND, MMRP, and Proposed Project, together with any comments received during and prior to the public review process; and

WHEREAS, at the conclusion of the December 22, 2022, continued public hearing, in the exercise of its own independent judgment, the Planning Commission approved the Proposed Project after it determined that the MND and the MMRP prepared for the Proposed Project would reduce the environmental impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation of an environmental impact report; and

WHEREAS, the Planning Commission also approved by a 5-0-1 vote the Proposed Project based on the following findings, as required under Section 9.02.070 (Plot Plan) of the Municipal Code:

- a. The Proposed Project is consistent with the goals, objectives, policies, and programs of the general plan;
- b. The Proposed Project complies with all applicable zoning and other regulations;
- c. The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
- d. The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity; and

WHEREAS, in addition to making the above findings, the Planning Commission imposed various conditions of approval on the Proposed Project regarding on-site improvements, off-site improvements, the manner in which the site is used and other conditions the Planning Commission deemed necessary to protect the public health, safety and welfare to ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning & Zoning) of the Municipal Code; and

WHEREAS, on December 29, 2022, and January 3, 2023, the County of Riverside (PAA22-0005) and the Department of the Air Force (PAA23-0003) appealed the Planning Commission's decision; and

WHEREAS, on February 21, 2023, a duly noticed appeal hearing was conducted by the City Council to consider the two appeals; and

WHEREAS, at the conclusion of the appeal hearing, the City Council denied the appeals which upholds the Planning Commission's 5-0-1 decision to adopt the MND and MMRP prepared for the Proposed Project and approve the Proposed Project based on the finding that the Planning Commission committed no error in deciding to adopt the subject MND and MMRP for the Proposed Project and reaffirmed, based on the exercise of its own independent judgment, that the MND and MMRP will reduce the environmental impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment in a manner that otherwise would require the preparation and verification of an Environmental Impact Report; and

WHEREAS, at the conclusion of the appeal hearing, the City Council also denied the appeals which upholds the Planning Commission's 5-0-1 decision to approving the Proposed Project since the Planning Commission did not commit any error when it approved Proposed Project based on the findings that: (i) The Proposed Project is consistent with the goals, objectives, policies, and programs of the general plan; (ii) The Proposed Project complies with all applicable zoning and other regulations; (iii) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and (iv) the location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations and other exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

Section 3. Evidence

That the City Council has considered all the evidence submitted into the administrative record for the Proposed Project, including, but not limited to, the following:

- a. Moreno Valley General Plan and all other relevant provisions contained therein;
- b. Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- c. Moreno Valley Industrial Area Specific Plan 208;
- d. Mitigated Negative Declaration/Initial Study prepared for the Proposed Project;
- e. Notice of Intent to Adopt an MND/Newspaper Notice;
- f. Mitigation and Monitoring Program;
- g. Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- h. Testimony, comments, and correspondence from all persons that were provided at, or prior to, the December 22, 2022, Planning Commission's continued public hearing;
- i. Application for the approval of Plot Plan PEN21-0102 and all documents, records, and references contained therein;
- j. Conditions of Approval for Plot Plan PEN21-0102, attached hereto as Exhibit A;
- k. Appeals PAA22-0005 and PAA23-0003;
- l. Staff Report prepared for the City Council's consideration and all documents, records, and references related thereto, and Staff's presentation at the appeal hearing;
- m. Testimony and/or comments from Applicant and its representatives during the appeal hearing; and

- n. Testimony, comments, and correspondence from all persons that were provided at, or prior to, the City Council February 21, 2023, appeal hearing;

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council makes the following findings in approving the Proposed Project (Plot Plan PEN21-0102):

a. That the Planning Commission did not commit any error when it approved Proposed Project based on the findings that:

- (i) The Proposed Project is consistent with the goals, objectives, policies, and programs of the general plan;
- (ii) The Proposed Project complies with all applicable zoning and other regulations;
- (iii) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
- (iv) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Denial of Appeals

That based on the foregoing Recitals, Evidence contained in the Administrative Record, and Findings, as set forth herein, the City Council hereby denies both Appeals, PAA22-0005, and PAA23-0003, and upholds the Planning Commission's decision to approve the Proposed Project.

Section 6. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 7. 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 8. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 9. Certification

That the City Clerk for the City Council shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 21ST day of February 2023

CITY OF MORENO VALLEY
CITY COUNCIL

Ulises Cabrera,
Mayor of the City of Moreno Valley

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: 2023-XX_Resolution Plot Plan [Revision 1] (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Exhibit A

CONDITIONS OF APPROVAL

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Plot Plan (PEN21-0102)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN21-0102)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
4. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
5. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the

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above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. This project is located within Specific Plan 208. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department, and as conditioned - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

Special Conditions

8. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.
9. The site has been approved for an automobile parking lot with approximately 194 parking stalls designed to meet all on-site parking requirements, fencing, landscaping, and street improvements. A change or modification shall require separate approval.
10. Tubular steel fencing is required along Heacock Street wrapping a minimum of 100 feet east on each the northern property line and the south property line. Coated Chain Line fencing shall be used along the remaining perimeter property line.
11. Included in the grading plan submittal, the parking lot shall be designed consistent with the City's Municipal Code (9.11 and 9.17.050) requirements to include the following:
 - a. Parking lot design shall include openings in curbs to convey water runoff into landscape areas for water quality, retention, and absorption.
 - b. Auto parking spaces shall be clearly outlined with white double lines on the surface of the parking facility (three-inch line – six-inch space - three-inch line) for a

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total of twelve (12) inches or as otherwise specified by the Building Official.

c. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or the public right-of-way. Low hedge planting or wall may be required.

d. Finger planters shall have a minimum interior dimension of five (5) feet by sixteen (16) feet, (or as approved by the Community Development Director), exclusive of curbs, step-outs, and other hard surfaces. A finger planter with parking on one side has a minimum curb-to-curb face dimension of seven feet. A finger planter with parking on both sides has a minimum curb-face-to-curb-face dimension of eight (8) feet.

e. Diamond planters are required where double rows of parking are provided.

f. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet.

g. End islands or finger planters are provided at the end of each aisle of parking to define parking lot circulation and provide sight distance at the intersection of drive aisles and places for trees.

Prior to Grading Permit

12. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
13. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
14. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
15. Prior to the issuance of any grading permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
 - a. A solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - c. Diamond planters shall be provided every 3 parking stalls.
 - d. Drought tolerant landscape shall be used. No sod shall be installed.
 - e. Enhanced landscaping shall be provided at all driveway entries and street

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corner locations The review of all utility boxes, transformers, etc. shall be coordinated to provide adequate screening from public view.

f. All site perimeter and parking lot landscape and irrigation shall be installed prior to any occupancy of the parking lot.

16. Prior to issuance of a grading permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
17. Prior to parking lot final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
18. Prior to the issuance of a grading permit, detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

Prior to Building Final or Occupancy

19. Prior to final occupancy, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
20. Prior to final occupancy, all required and proposed fences shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

21. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
22. Prior to submittal, all new development are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the

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Building Safety Division at 951.413.3350.

23. Building applications for permits will be required for site development of this project including but not limited to accessible parking, stripping, walkways, access aisles, access point to the public way, and electrical installations. Building applications and permit issuance will be required prior to issuance of any grading permits associated with this project. Contact the Building Safety Division for permit application submittal requirements.
24. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
25. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
26. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
27. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
28. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

FIRE DEPARTMENT**Fire Prevention Bureau**

29. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
30. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention

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Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)

31. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
32. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
33. Prior to issuance of Grading Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
34. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
35. Prior to issuance of Certificate of Occupancy or Building Final, street numbers shall be displayed in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
36. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
37. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
38. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.

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39. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
40. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
41. Prior to issuance of the grading permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
42. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
43. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
44. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
45. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
46. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
47. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection

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measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)

48. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
49. Prior to issuance of Grading Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**Moreno Valley Utility**

50. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility prior to issuance of a grading permit and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
51. This project requires the installation of electric distribution facilities. Prior to issuance of a grading permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. Prior to issuance of a grading permit, in accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

Prior to issuance of a grading permit, the Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults,

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ducts, wires (including fiber optic cable), switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

The City, or the City’s designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer’s sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

52. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer’s expense, for any and all costs associated with the relocation of any of Moreno Valley Utility’s underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.
53. Prior to issuance of a grading permit, this project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.
54. If this project will include the installation and interconnection of any generating or energy storage equipment, this project shall submit an application, coordinate and receive approval from the Moreno Valley Electric Utility. For the most recent application requirements and for submitting interconnection applications, email mvusolar@moval.org or go to our website at <https://www.moval.org/mvu/solar-prog.html>. All interconnection applications shall be submitted to the Moreno Valley Electric Utility by email to mvusolar@moval.org.

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PUBLIC WORKS DEPARTMENT**Land Development**

55. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
56. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
57. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
58. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

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59. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
60. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
61. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained.
62. Within 15 days of grading completion, an engineered-fill certification, rough grade certification, compaction report and final/precise grade certification shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
63. Within 15 days of grading completion (Grading Plan) or Street Improvements (Street Plan), all required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
64. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
 - a. Street improvements including, but not limited to: pavement, base, project entrance improvements, signing, striping, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
65. Within 15 days of the construction of the water quality Best Management Practices, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant" shall be recorded to provide public notice of the maintenance

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requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.

66. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
 - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
67. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Prior to Grading Plan Approval

68. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
69. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 13

their implementation;

c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

70. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
 - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
 - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
71. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
72. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.
73. The developer shall coordinate and obtain any permits required by the Riverside County Flood Control District regarding drainage outletting into their open channel on the southside of the project.
74. Prior to grading plan approval, the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facility Line C.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 14

Prior to Grading Permit

75. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
76. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
77. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
78. For non-subdivision projects, the developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
79. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
80. The developer shall dedicate a 24' wide access easement along the northerly boundary for the owner of the parcel to the east (APN 316-211-015) to have access to their property.
81. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

Prior to Improvement Plan Approval

82. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
83. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
84. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 15

shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]

85. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
86. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
87. The developer shall widen Heacock Street to a 24' total width with an 8' wide graded dirt shoulder on both sides of the street. The limits of this widening shall begin from the "bulb" on Heacock Street to the project's southerly boundary. The structural section shall be per standard MVSI-104A-0, with a minimum TI=11.
88. Prior to release of Public Improvement Agreement (PIA) security, all public improvements shall be completed and accepted by the City.

Prior to Encroachment Permit

89. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]
90. Any work performed within public right-of-way requires an encroachment permit.

Special Districts Division

91. Major Infrastructure SFD Major Infrastructure Financing District. Prior to issuance of a grading permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the Grading Permit. This condition

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 16

must be fully satisfied prior to Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

92. Maintenance Services Funding. Prior to issuance of a grading permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the Grading Permit.

This condition must be fully satisfied prior to Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

Page 17

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to determine if this condition is applicable.

93. Public Safety Funding. Prior to issuance of a Grading Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the Grading Permit.

This condition must be fully satisfied prior to issuance of the Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SAdmin@moval.org to determine if this condition is applicable.

94. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.

Transportation Engineering Division

95. All gated entrances (except emergency-only access or exit only access) shall be provided with the following:
- a) A storage lane with a minimum of 75' provided for queuing.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

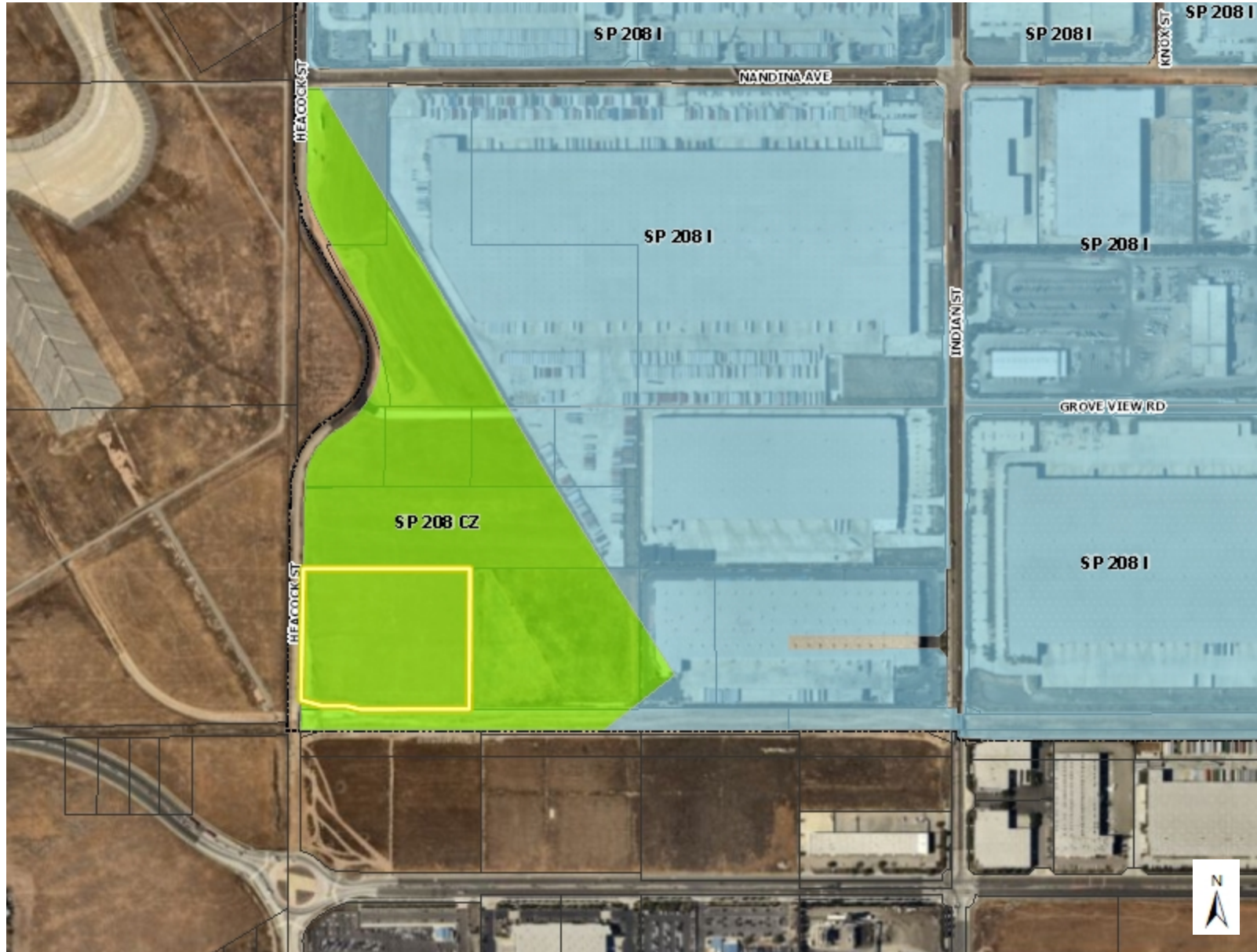
Page 18

b) No Parking signs shall be posted in the turnaround areas.

All of these features must be kept in working order.

96. Project driveway approach along Heacock Street shall provide an AC Pavement Connection (Paved Driveway) with 50-ft radii.
97. Prior to final approval of any grading, landscape, monument sign, or street improvement plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
98. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans – Section 4 for all streets. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered civil or traffic engineer.
99. Prior to the issuance of encroachment permit for work in the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
100. Prior to release of Public Improvement Agreement (PIA) security, all approved street improvements shall be installed to the satisfaction of the City Engineer.
101. Prior to release of Public Improvement Agreement (PIA) security, all approved signing and striping shall be installed to the satisfaction of the City Engineer.
102. **Prior to issuance of an occupancy permit, the applicant shall provide receipt for or letter from the City of Perris demonstrating they have provided for their fair share sum for the impacts to City of Perris' roadways. (Modified per Planning Commission).

PEN21-0102 SP208



Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

Road Labels

- Parcels
- City Boundary
- Sphere of Influence

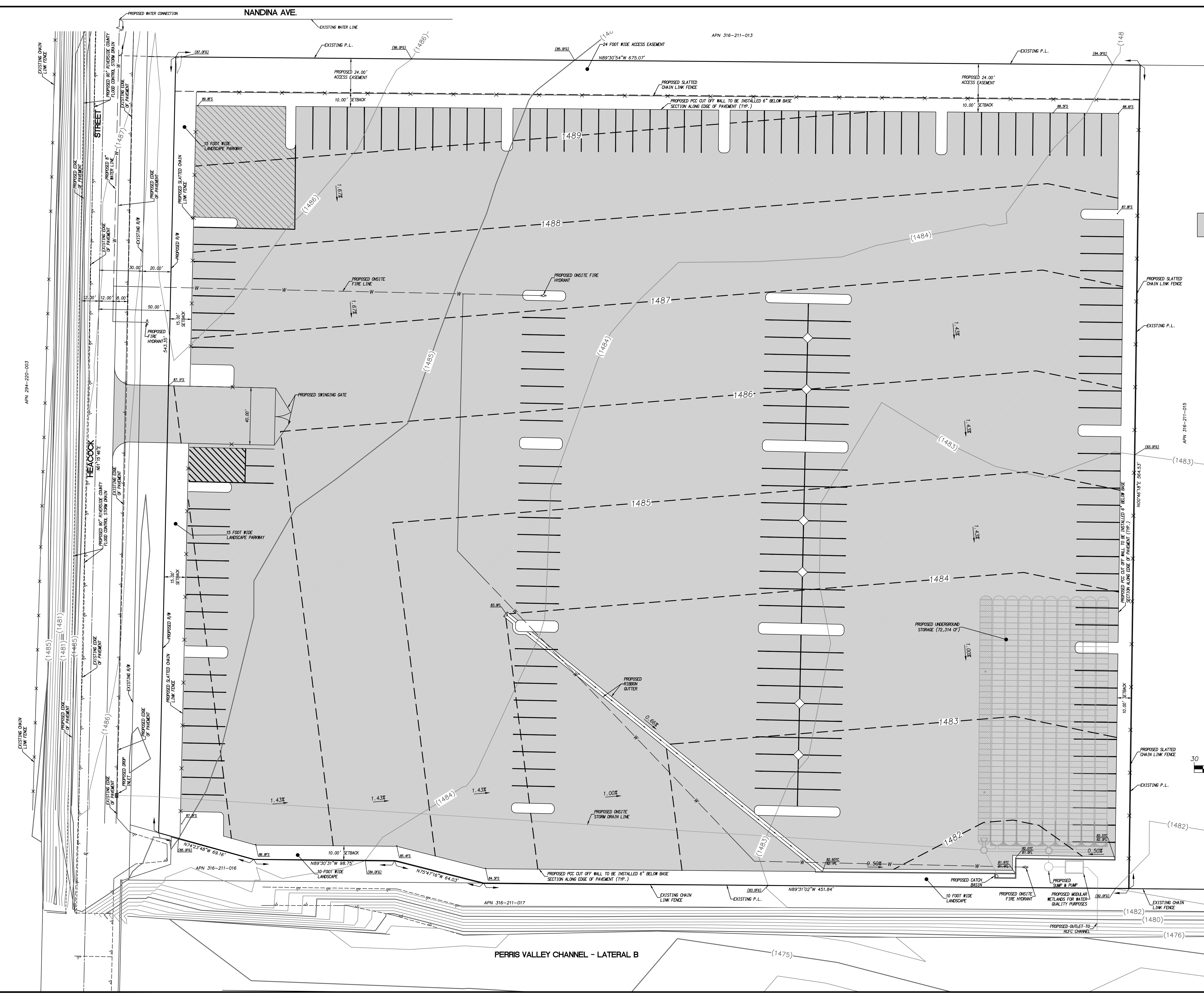
Image Source: Nearmap

Notes:

1,261.9 0 630.96 1,261.9 Feet

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map.

Attachment: Zoning Map (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



LEGEND

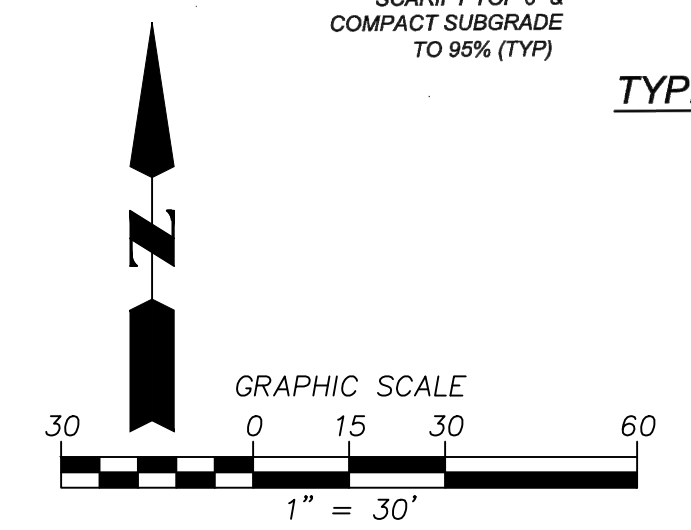
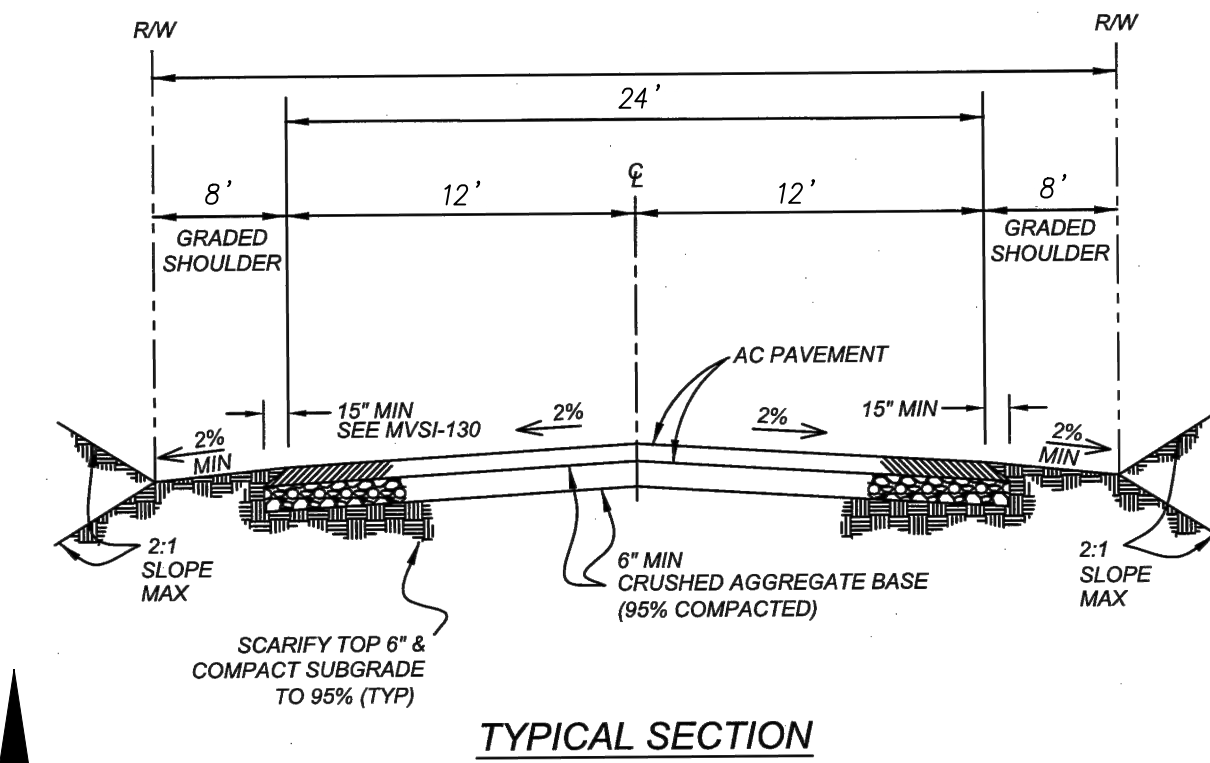
AC	ASPHALT CONCRETE
BLDG.	BUILDING
C&G	CURB & GUTTER
C/L	CENTERLINE
ELEC.	ELECTRIC
EX.	EXISTING
FG	FINISHED GRADE
FS	FINISHED SURFACE
MH	MANHOLE
R/W	RIGHT OF WAY
SD	STORM DRAIN
S/W	SIDEWALK
TELE.	TELEPHONE
TYP.	TYPICAL
POC	POINT OF CONNECTION
PCC	PORTLAND CEMENT CONCRETE
PROP.	PROPOSED
XX.X	PROPOSED ELEVATION
(XX.X)	EXISTING ELEVATION

PROPOSED AC PAVEMENT

PRELIMINARY EARTHWORK QUANTITIES:
 CUT 7,600 CY*
 FILL 6,900 CY*
 (RAW/UNADJUSTED)
 *NOTE: THE PROPOSED GRADING ON THIS PLAN IS STRICTLY CONCEPTUAL AND SHOULD ONLY BE USED FOR PLANNING PURPOSES. SITE IS EXPECTED TO BALANCE AFTER LOSSES.

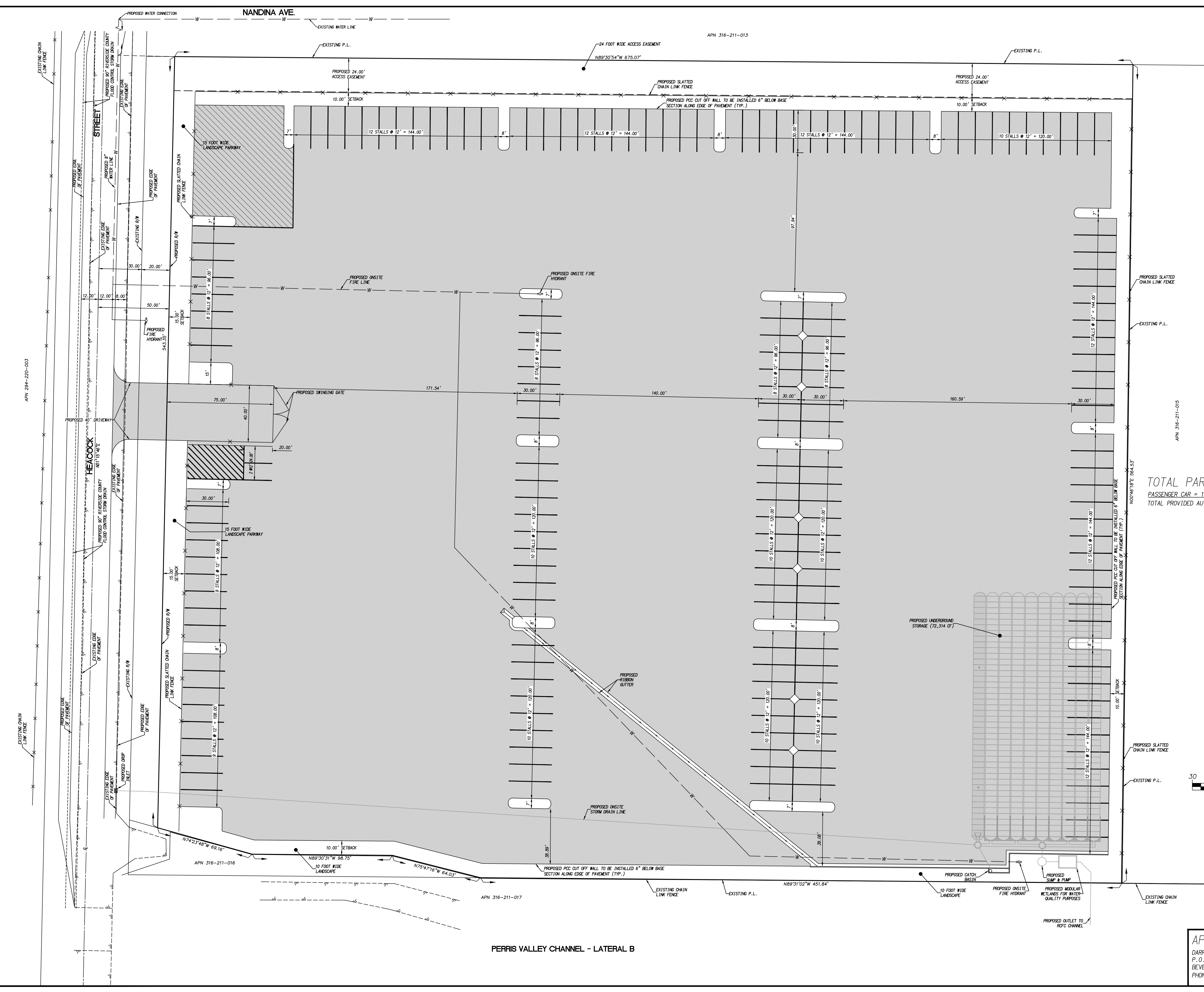
LEGAL DESCRIPTION:
 ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 THE WEST HALF OF LOT 29 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 21 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
 EXCEPTING THEREFROM THE SOUTHERLY 70 FEET THEREOF.
 ALSO EXCEPTING THEREFROM THE WESTERLY 10 FEET THEREOF.
 ALSO EXCEPTING THAT PORTION GRANTED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED MAY 9, 2004 AS INSTRUMENT NO. 2004-041404 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

- EASEMENTS:**
1. A CLEARANCE EASEMENT FOR A RUNWAY APPROACH ZONE AND GLIDE ANGLE PLANS OVER SAID LAND, AS GRANTED TO THE UNITED STATES OF AMERICA, IN DEED RECORDED FEBRUARY 14, 1956 IN BOOK 1862, PAGE 210 OFFICIAL RECORDS. SAID EASEMENT COVERS ENTIRE PARCEL.
 2. AN EASEMENT FOR A CLEAR ZONE IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED SEPTEMBER 27, 1984 AS INSTRUMENT NO. 1984-209559 OFFICIAL RECORDS. SAID EASEMENT COVERS THE ENTIRE PARCEL.

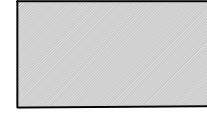


**CONCEPTUAL GRADING PLAN
 HEACOCK PARKING LOT
 MORENO VALLEY, CA
 SHEET 1 OF 1**

CASC
 Engineering and Consulting
 1470 EAST COOLEY DRIVE, COLTON, CA 92324
 PH. (909) 783-0101 FAX (909) 783-0108
 www.cascinc.com



LEGEND

AC	ASPHALT CONCRETE
C/L	CENTERLINE
EX.	EXISTING
R/W	RIGHT OF WAY
TYP.	TYPICAL
PROP.	PROPOSED
	PROPOSED AC PAVEMENT

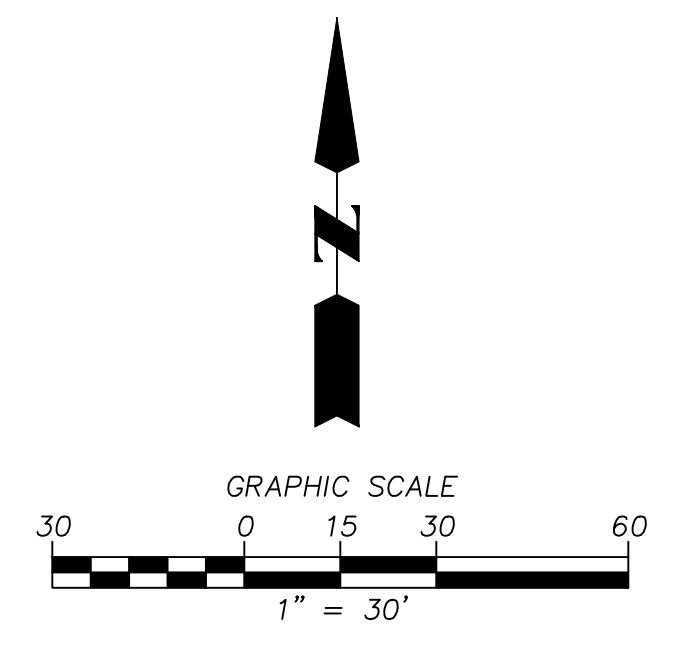
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TOTAL PARKING:
 PASSENGER CAR = 194
 TOTAL PROVIDED AUTOMOBILE PARKING = 194

- NOTES:**
1. ASSESSOR'S PARCEL NUMBERS: 316-211-014
 2. EXISTING GROSS AREA: 413,979 SF = 9.50 AC
 3. EXISTING NET AREA: 397,840 SF = 9.13 AC
 4. PROPOSED NET AREA: 387,027 SF = 8.88 AC
 5. AREA OF DEDICATION: 10,813 SF = 0.25 AC
 6. BOLLARDS WILL BE PROVIDED IN PARKING LOT FOR NIGHT LIGHTING.
 7. ALONG PROPERTY BOUNDARIES VISIBLE FROM PUBLIC VIEW AND ACCESSIBLE TO THE GENERAL PUBLIC SHRUBS WILL BE PLANTED AT A RATE OF ONE SHRUB PER 30 LINEAR FEET OF THE INTERIOR PROPERTY LINE.
 8. THE PLANTER ALONG THE PERIMETER OF THE PARKING LOT WILL HAVE A MINIMUM WIDTH OF FIVE FEET.
 9. PARKING LOT LANDSCAPING WILL BE DESIGNED IN ACCORDANCE WITH THE STANDARDS PROVIDED IN SECTION 9.17.050 OF THE MORENO VALLEY MUNICIPAL CODE.



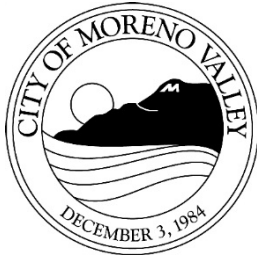
**SITE PLAN
 HEACOCK PARKING LOT
 MORENO VALLEY, CA
 SHEET 1 OF 1**

DATE PREPARED: 8/10/22
PREPARED BY:

CASC
 Engineering and Consulting
 1470 EAST COOLEY DRIVE, COLTON, CA 92324
 PH. (909) 783-0101 FAX (909) 783-0108
 www.cascinc.com

APPLICANT:
 DARREN EMERY
 P.O. BOX 7200
 BEVERLY HILLS, CA 90210
 PHONE: (323) 481-9178

PERRIS VALLEY CHANNEL - LATERAL B



PLANNING COMMISSION

STAFF REPORT

Meeting Date: December 22, 2022

PLOT PLAN FOR AN AUTOMOBILE PARKING LOT

Case: Plot Plan (PEN21-0102)

Applicant: Lawrence Family Trust

Property Owner: Lawrence Family Trust

Representative: Frank Coyle, CASC Engineering & Consulting

Project Site: East side of Heacock Street north of the Perris Valley Storm Drain (APN: 316-211-014)

Case Planner: Julia Descoteaux, Senior Planner

Council District: 4

Proposed Project: A Continued Public Hearing:

The applicant is requesting approval of the following entitlement: Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres in the Moreno Valley Industrial Area Specific Plan, Clear Zone District (Specific Plan 208).

CEQA: Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

Background

At the Applicant's request, this item was continued at the Planning Commissions October 27, 2022 Meeting to December 22, 2022. A copy of the requests is provided as an attachment to this report.

SUMMARY

Lawrence Family Trust (“Applicant”) is requesting approval for an automobile parking lot on 9.14 acres located on the east side of Heacock Street north of the Perris Valley Storm Drain in the Moreno Valley Industrial Area Specific Plan 208, Clear Zone District (Specific Plan 208).

PROJECT DESCRIPTION

Project

The Applicant is proposing an automobile parking lot to accommodate approximately 194 parking stalls on a 9.14-acre parcel consistent with Moreno Valley Industrial Area Specific Plan 208, Clear Zone District (Specific Plan 208). The parking lot will include landscape, lighting, fencing, and water quality improvements.

Site/ Surrounding Area

The approximately 9.14-acre Project Site is located on the east side of Heacock Street just north of the Perris Valley Storm Drain.

Surrounding land uses include developed industrial uses to the north and northeast of the Project Site, within Specific Plan 208, the Perris Valley Storm Drain to the south of the Project Site, and March Air Reserve Base (MARB) to the west of the Project Site.

Access

Access to the site will be from a single 40-foot wide, 75-foot-deep driveway along Heacock Street, with a gated entry.

Design/Landscaping

The parking lot will be designed per the City standards, with AC pavement, drainage, and water quality treatment areas. All parking lot end islands and parking fingers within the lot will meet the minimum standards to include five feet of landscape areas, step-outs, and curbing.

Tubular steel fencing will be used along Heacock Street wrapping 100 feet on the north and south property lines, with coated chain link on the remaining portions of the perimeter fencing, consistent with the Specific Plan 208 requirements.

Drought-tolerant shrubs will be planted in the landscape areas within the parking lot and along the Heacock Street frontage. Due to the proximity to March Air Reserve Base trees are not required to ensure compliance with the March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan.

REVIEW PROCESS

The Proposed Project has been considered by all appropriate agencies within and outside of the City, consistent with the standard review process required for these types of development applications. The Proposed Project was reviewed by the Project Review

Staff Committee as required by the Municipal Code. Following subsequent revisions and review by various staff, the Proposed Project's entitlement package was deemed complete for processing for Planning Commission review and approval of the Proposed Project as designed and conditioned.

ENVIRONMENTAL

An Initial Study was prepared by CASC Engineering and Consulting, Inc., in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study examined the Proposed Project's impacts on the environment. The Initial Study/Mitigation Negative Declaration (IS/MND) provides information in support of the finding that a Mitigated Negative Declaration serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality and Global Climate Change Impact Analysis, Burrowing Owl Focused Survey Report, Cultural Report, Paleontological Report, Geotechnical Investigation and Percolation Test Results, EDR Radius Map, Preliminary Drainage Analysis, Preliminary Water Quality Maintenance Plan, and Traffic Impact Analysis. The electronic files for the IS/MND with appendices are attached to this staff report. Anyone wishing to view the documents can also do so at City Hall.

Mitigation Measures are recommended for the Proposed Project in the following areas: Air Quality, Biological Resources, Cultural Tribal Resources, and Hydrology. The measures for Tribal resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study, and the proposed mitigation measures, the Proposed Project will not cause any significant impacts or environmental damage.

The public comment period for the Notice of Availability for the Initial Study/Mitigated Negative Declaration began on September 29, 2022, and ended on October 18, 2022, which satisfies the required 20-day review period. As of the preparation of this staff report, no comments have been received. Should comments regarding the Proposed Project be received prior to the Planning Commission they will be provided at the public hearing.

NOTIFICATION

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- A. That the Planning Commission **ADOPT** Resolution No. 2022-41, attached hereto,
AND:
1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Plot Plan (PEN21-0102) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the proposed Project's potential environmental impacts; and
 2. **ADOPTING** the Mitigation Monitoring and Reporting Program prepared for the Project, which consists of Plot Plan (PEN21-0102) pursuant to CEQA and the CEQA Guidelines.
- B. That the Planning Commission **ADOPT** Resolution No. 2022-42 attached hereto,
AND:
1. **APPROVING** Plot Plan (PEN21-0102) based on the Recital, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2022-42.

Prepared by:
Julia Descoteaux
Associate Planner

Approved by:
Sean P Kelleher
Planning Division Manager

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

1. October 27, 2022 - Request for Continuance
2. Resolution No. 2022-41 - IS/ MND
3. Exhibit A to Resolution No. 2022-41 - IS/MND
4. Appendix A Air Quality and Global Climate Change Impact Analysis (October 12, 2021)
5. Appendix B Burrowing Owl Focused Survey Report (June 16, 2021)
6. Appendix C Cultural Report (September 25, 2021)
7. Appendix D Paleontological Report (September 27, 2021)

RESOLUTION NUMBER 2022-41

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR PLOT PLAN (PEN21-0102) FOR AN AUTOMOBILE PARKING LOT LOCATED ON THE EAST SIDE OF HEACOCK STREET NORTH OF THE PERRIS VALLEY STORM DRAIN (APN 316-211-014)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines; and

WHEREAS, Lawrence Family Trust (“Applicant”) has submitted and application for a Plot Plan (PEN21-0102) to develop an automobile Parking Lot project and public improvements on 9.14-acres (“Proposed Project”) which is currently vacant and unimproved and located on the east side of Heacock Street north of the Perris Valley Storm Drain (APN 316-211-014) (“Project Site”); and

WHEREAS, Planning Division Staff completed an environmental assessment for the proposed Project, and, based on the assessment, decided to prepare an Initial Study (“IS”) and Mitigated Negative Declaration (“MND”) in accordance with Section 6 (Negative Declaration Procedures) of the City’s Rules and Procedures for the Implementation of the California Environmental Quality Act (CEQA) and the requirements of the CEQA Guidelines Sections 15070 – 15075; and

WHEREAS, a Notice of Intent to Adopt a MND was duly noticed and circulated for public review for a period of 20 days commencing on September 29, 2022, through October 18, 2022; and

WHEREAS, in compliance with CEQA and the CEQA Guidelines, a MMRP which is a program for reporting and monitoring the Projects’ mitigation measures, was prepared for the Proposed Project and circulated with the MND; and

WHEREAS, on October 27, 2022, a hearing was conducted by the Planning Commission to consider the approval of the Proposed Project’s MND and the MMRP and approval of the Proposed Project, at which time the Planning Commission considered the Initial Study, MND, and the MMRP, together with any comments received during the public review process and the responses prepared; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and the MMRP prepared for the Proposed Project has reduced the potential impacts of the Proposed Project to levels of insignificance and that there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the

¹ Public Resources Code §§ 21000-21177

¹ 14 California Code of Regulations §§15000-15387

environment in a manner that would otherwise require the preparation and certification of an environmental impact report.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Evidence

That the Planning Commission has considered all the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

- (a) MND/Initial Study prepared for the proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a MND/Newspaper Notice, attached hereto as Exhibit B;
- (c) MMRP, attached hereto as Exhibit C;
- (d) Staff Report prepared for the Planning Commission's consideration and all documents, records and references related thereto, and Staff's presentation at the public hearing; and
- (e) Testimony, comments and correspondence from all persons that were provided at, or prior to, the public hearing.

Section 3. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That the City has independently reviewed, analyzed, and considered the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and the whole record before it, (including, the Initial Study and comments received) and, based on the foregoing, the Planning Commission hereby finds that all environmental impact of the Proposed Project, with mitigation measures, are below a level of significance and there is no substantial evidence supporting a fair argument that the Project will have a significant effect on the environment;
- (b) That the MND and MMRP have been completed in compliance with CEQA and the CEQA Guidelines and are consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- (c) That the MND and MMRP represent the independent judgment and analysis of the Planning Commission and the City as the lead agency for the Proposed Project; and

(d) That the MND and MMRP are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

Section 4. Adoption

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby adopts the Initial Study/MND attached hereto as Exhibit A and the MMRP attached hereto as Exhibit C.

Section 5. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 6. Severability

That the Planning Commission 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 7. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 8. Certification

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 27th day of October 2022

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher,
Planning Official

Attachment: Planning Commission Resolution 2022-41 ISMND (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

APPROVED AS TO FORM:

Steven B. Quintanilla,
Interim City Attorney

Exhibits:

Exhibit A: Mitigated Negative Declaration/Initial Study

Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration / Newspaper Notice

Exhibit C: Mitigation Monitoring and Reporting Program

RESOLUTION NUMBER 2022-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PLOT PLAN (PEN21-0102) FOR AN AUTOMOBILE PARKING LOT LOCATED ON THE EAST SIDE OF HEACOCK STREET NORTH OF THE PERRIS VALLEY STORM DRAIN (APN 316-211-014)

WHEREAS, the City of Moreno Valley (“City”) is a general law city and a municipal corporation of the State of California; and

WHEREAS, Lawrence Family Trust (“Applicant”) has submitted applications for a Plot Plan (PEN21-0102) to develop an automobile Parking Lot project and public improvements on 9.14-acres (“Proposed Project”) which is currently vacant and unimproved and located on the east side of Heacock Street north of the Perris Valley Storm Drain (APN 316-211-014) (“Project Site”); and

WHEREAS, Section 9.02.070 (Plot Plan) of the Moreno Valley Municipal Code acknowledges that the purpose of plot plans is to provide a mechanism by which all new construction of industrial, commercial, or multiple-family residential can be reviewed when not subject to other discretionary review processes which have review authority over the Proposed Project’s design; and

WHEREAS, the Application has been evaluated in accordance with Section 9.02.070 (Plot Plan) of the Municipal Code with consideration given to the City’s General Plan, Zoning Ordinance, the Moreno Valley Industrial Area Specific Plan 208I, and other applicable laws and regulations; and

WHEREAS, Section 9.02.070 of the Municipal Code imposes conditions of approval upon projects for which a Plot Plan is required, which conditions may be imposed by the Planning Commission to address on-site improvements, off-site improvements, the manner in which the site is used, and any other conditions as may be deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, Staff has presented for the Planning Commission’s consideration Conditions of Approval to be imposed upon the Plot Plan which conditions have been deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code section 65905, a public hearing was scheduled for October 27, 2022, and notice thereof was duly published and posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on October 27, 2022, the public hearing to consider the Application was duly conducted by the Planning Commission at which time all interested persons were provided with an opportunity to testify and to present evidence; and

WHEREAS, consistent with the requirements of Section 9.02.070 (Plot Plan) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Plot Plan PEN21-0102 for the Plot Plan, which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (“Planning and Zoning”) of the Municipal Code; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.02.070 of the Municipal Code and set forth herein could be made with respect to the proposed Project as conditioned by Conditions of Approval; and

WHEREAS, on October 27, 2022, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines,² the Planning Commission considered and approved Resolution 2022-41 certifying a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed Project.

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

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached Exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code section 66020(d)(1), notice is hereby given that the Proposed Project is subject to certain fees, dedications, reservations, and other exactions as provided herein.

Section 3. Evidence

That the Planning Commission has considered all of the evidence submitted into the administrative record for the Proposed Project, including, but not limited to, the following:

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Moreno Valley Industrial Area Specific Plan 208I;
- (c) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code, and all other relevant provisions referenced therein;
- (d) Application for the approval of Plot Plan PEN21-0102 and all documents, records, and references contained therein;
- (e) Conditions of Approval for Plot Plan PEN21-0102, attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- (g) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons that was provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving the Proposed Project (Plot Plan PEN21-0102):

- (a) The Proposed Project is consistent with the goals, objectives, policies, and programs of the General Plan;
- (b) The Proposed Project is consistent with the goals, objectives, policies, and requirements of the Moreno Valley Industrial Area Specific Plan 208I;
- (c) The Proposed Project complies with all applicable zoning and other regulations;
- (d) The Proposed Project will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and
- (e) The location, design, and operation of the Proposed Project will be compatible with existing and planned land uses in the vicinity.

Section 5. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record, and Findings set forth above, the Planning Commission hereby approves the Proposed Project (Plot Plan PEN21-0102) subject to the Conditions of Approval for Plot Plan PEN21-0102 attached hereto as Exhibit A.

Section 6. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 7. Severability

That the Planning Commission 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 preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 8. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

Section 9. Certification

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 27th day of October 2022.

CITY OF MORENO VALLEY
PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean Kelleher, Planning Manager

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

Exhibits:
Exhibit A: Conditions of Approval

Attachment: Planning Commission Resolution 2022-42 PP (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Exhibit A

CONDITIONS OF APPROVAL

Attachment: Planning Commission Resolution 2022-42 PP (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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CITY OF MORENO VALLEY
 CONDITIONS OF APPROVAL
 Plot Plan (PEN21-0102)

EFFECTIVE DATE:

EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENTPlanning Division

1. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
2. Any expansion to this use or exterior alterations will require the submittal of a separate application(s) and shall be reviewed and approved under separate permit(s). (MC 9.02.080)
3. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
4. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)
5. The Developer shall defend, indemnify and hold harmless the City, city council, commissions, boards, subcommittees and the City's elected and appointed officials, commissioners, board members, officers, agents, consultants and employees ("City Parties") from and against any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of any of the following items: (i) any prior or current agreements by and among the City and the Developer; (ii) the current, concurrent and subsequent permits, licenses and entitlements approved by the City; (iii) any environmental determination made by the City in connection with the Project Site and the Project; and (iv) any proceedings or other actions undertaken by the City in connection with the adoption or approval of any of the

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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above. In the event of any administrative, legal, equitable action or other proceeding instituted by any third party (including without limitation a governmental entity or official) challenging the legality, validity or adequacy of any of the above items or any portion thereof, the Parties shall mutually cooperate with each other in defense of said action or proceeding. Notwithstanding the above, the City, at its sole option, may tender the complete defense of any third party challenge as described herein. In the event the City elects to contract with special counsel to provide for such a defense, the City shall meet and confer with the Developer regarding the selection of counsel, and the Developer shall pay all costs related to retention of such counsel by the City.

6. This project is located within Specific Plan 208. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)
7. The site shall be developed in accordance with the approved plans on file in the Community Development Department, and as conditioned - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

Special Conditions

8. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.
9. The site has been approved for an automobile parking lot with approximately 194 parking stalls designed to meet all on-site parking requirements, fencing, landscaping, and street improvements. A change or modification shall require separate approval.
10. Tubular steel fencing is required along Heacock Street wrapping a minimum of 100 feet east on each the northern property line and the south property line. Coated Chain Line fencing shall be used along the remaining perimeter property line.
11. Included in the grading plan submittal, the parking lot shall be designed consistent with the City's Municipal Code (9.11 and 9.17.050) requirements to include the following:
 - a. Parking lot design shall include openings in curbs to convey water runoff into landscape areas for water quality, retention, and absorption.
 - b. Auto parking spaces shall be clearly outlined with white double lines on the surface of the parking facility (three-inch line – six-inch space - three-inch line) for a

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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total of twelve (12) inches or as otherwise specified by the Building Official.

c. Auto headlights in parking areas shall be screened so that they do not shine into adjacent properties or the public right-of-way. Low hedge planting or wall may be required.

d. Finger planters shall have a minimum interior dimension of five (5) feet by sixteen (16) feet, (or as approved by the Community Development Director), exclusive of curbs, step-outs, and other hard surfaces. A finger planter with parking on one side has a minimum curb-to-curb face dimension of seven feet. A finger planter with parking on both sides has a minimum curb-face-to-curb-face dimension of eight (8) feet.

e. Diamond planters are required where double rows of parking are provided.

f. Diamond planters have a minimum of twenty-five (25) square foot interior area (exclusive of perimeter curbing) with minimum interior dimensions of five feet by five feet.

g. End islands or finger planters are provided at the end of each aisle of parking to define parking lot circulation and provide sight distance at the intersection of drive aisles and places for trees.

Prior to Grading Permit

12. Prior to issuance of any grading permit, all Conditions of Approval and Mitigation Measures shall be printed on the grading plans.
13. Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)
14. Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan. The pre-construction survey shall be submitted to the Planning Division prior to any disturbance of the site and/or grading permit issuance.
15. Prior to the issuance of any grading permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Requirements and shall include:
 - a. A solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.
 - b. Finger and end planters with required step-outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.
 - c. Diamond planters shall be provided every 3 parking stalls.
 - d. Drought tolerant landscape shall be used. No sod shall be installed.
 - e. Enhanced landscaping shall be provided at all driveway entries and street

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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corner locations The review of all utility boxes, transformers, etc. shall be coordinated to provide adequate screening from public view.

f. All site perimeter and parking lot landscape and irrigation shall be installed prior to any occupancy of the parking lot.

16. Prior to issuance of a grading permit, the developer/property owner or developer's successor-in-interest shall pay all applicable impact fees due at permit issuance, including but not limited to Multi-species Habitat Conservation Plan (MSHCP) mitigation fees. (Ord)
17. Prior to parking lot final, the developer/owner or developer's/owner's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), and the City's adopted Development Impact Fees. (Ord)
18. Prior to the issuance of a grading permit, detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used, shall include style, illumination, location, height and method of shielding per the City's Municipal Code requirements. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, 9.16.280)

Prior to Building Final or Occupancy

19. Prior to final occupancy, all required landscaping and irrigation shall be installed per plan, certified by the Landscape Architect and inspected by the Planning Division. (MC 9.03.040, MC 9.17).
20. Prior to final occupancy, all required and proposed fences shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

Building Division

21. The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
22. Prior to submittal, all new development are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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Building Safety Division at 951.413.3350.

23. Building applications for permits will be required for site development of this project including but not limited to accessible parking, stripping, walkways, access aisles, access point to the public way, and electrical installations. Building applications and permit issuance will be required prior to issuance of any grading permits associated with this project. Contact the Building Safety Division for permit application submittal requirements.
24. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m.(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
25. Building plans submitted shall be signed and sealed by a California licensed design professional as required by the State Business and Professions Code.
26. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
27. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.
28. Prior to permit issuance, every applicant shall submit a properly completed Waste Management Plan (WMP), as a portion of the building or demolition permit process. (MC 8.80.030)

FIRE DEPARTMENT**Fire Prevention Bureau**

29. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
30. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)

31. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
32. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
33. Prior to issuance of Grading Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (CFC 501.3)
34. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1 and MVLT 440A-0 through MVLT 440C-0)
35. Prior to issuance of Certificate of Occupancy or Building Final, street numbers shall be displayed in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve inches in height. (CFC 505.1, MVMC 8.36.060[I])
36. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)
37. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a - After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
38. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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39. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
40. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
41. Prior to issuance of the grading permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
42. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Code Official. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)
43. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)
44. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
45. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
46. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
47. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)

48. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)
49. Prior to issuance of Grading Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:
 - a. Be signed by a registered civil engineer or a certified fire protection engineer;
 - b. Contain a Fire Prevention Bureau approval signature block; and
 - c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT**Moreno Valley Utility**

50. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility prior to issuance of a grading permit and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
51. This project requires the installation of electric distribution facilities. Prior to issuance of a grading permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. Prior to issuance of a grading permit, in accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

Prior to issuance of a grading permit, the Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults,

CONDITIONS OF APPROVAL

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ducts, wires (including fiber optic cable), switches, conductors, transformers, and “bring-up” facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility – collectively referred to as “utility system” (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “utility services” to and within the project. For purposes of this condition, “utility services” shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. “Utility services” shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

The City, or the City’s designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer’s sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

52. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer’s expense, for any and all costs associated with the relocation of any of Moreno Valley Utility’s underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.
53. Prior to issuance of a grading permit, this project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all “street light services” to and within the project.
54. If this project will include the installation and interconnection of any generating or energy storage equipment, this project shall submit an application, coordinate and receive approval from the Moreno Valley Electric Utility. For the most recent application requirements and for submitting interconnection applications, email mvusolar@moval.org or go to our website at <https://www.moval.org/mvu/solar-prog.html>. All interconnection applications shall be submitted to the Moreno Valley Electric Utility by email to mvusolar@moval.org.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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PUBLIC WORKS DEPARTMENT**Land Development**

55. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.
56. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
57. The final approved conditions of approval (COAs) issued and any applicable Mitigation Measures by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
58. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:
- (a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.
 - (b) Observance of working hours as stipulated on permits issued by the Land Development Division.
 - (c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
 - (d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.
- Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

CONDITIONS OF APPROVAL

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59. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
60. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
61. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained.
62. Within 15 days of grading completion, an engineered-fill certification, rough grade certification, compaction report and final/precise grade certification shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
63. Within 15 days of grading completion (Grading Plan) or Street Improvements (Street Plan), all required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
64. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:
 - a. Street improvements including, but not limited to: pavement, base, project entrance improvements, signing, striping, pavement tapers/transitions and traffic control devices as appropriate.
 - b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.
 - c. City-owned utilities.
65. Within 15 days of the construction of the water quality Best Management Practices, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant" shall be recorded to provide public notice of the maintenance

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Plot Plan (PEN21-0102)

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requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.

66. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:
- a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).
 - b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.
67. The Developer shall comply with the following water quality related items:
- a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.
 - b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
 - c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
 - d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
 - e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.
 - f. Obtain approval and complete installation of the irrigation and landscaping.

Prior to Grading Plan Approval

68. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
69. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:
- a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
 - b. Incorporates Source Control BMPs and provides a detailed description of

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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their implementation;

c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

70. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:
- a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.
 - b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.
 - c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.
 - d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.
71. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
72. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.
73. The developer shall coordinate and obtain any permits required by the Riverside County Flood Control District regarding drainage outletting into their open channel on the southside of the project.
74. Prior to grading plan approval, the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facility Line C.

CONDITIONS OF APPROVAL

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Prior to Grading Permit

75. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
76. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
77. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]
78. For non-subdivision projects, the developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
79. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
80. The developer shall dedicate a 24' wide access easement along the northerly boundary for the owner of the parcel to the east (APN 316-211-015) to have access to their property.
81. For non-subdivision projects, all street dedications shall be free of encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

Prior to Improvement Plan Approval

82. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
83. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVS1-160 series, etc.) throughout this project.
84. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]

85. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
86. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.
87. The developer shall widen Heacock Street to a 24' total width with an 8' wide graded dirt shoulder on both sides of the street. The limits of this widening shall begin from the "bulb" on Heacock Street to the project's southerly boundary. The structural section shall be per standard MVSI-104A-0, with a minimum TI=11.
88. Prior to release of Public Improvement Agreement (PIA) security, all public improvements shall be completed and accepted by the City.

Prior to Encroachment Permit

89. For non-subdivision projects, execution of a Public Improvement Agreement (PIA) and/or security (in the form of a cash deposit or other approved means) may be required as determined by the City Engineer. [MC 9.14.220]
90. Any work performed within public right-of-way requires an encroachment permit.

Special Districts Division

91. Major Infrastructure SFD Major Infrastructure Financing District. Prior to issuance of a grading permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the Grading Permit. This condition

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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must be fully satisfied prior to Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

92. Maintenance Services Funding. Prior to issuance of a grading permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the Grading Permit.

This condition must be fully satisfied prior to Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

CONDITIONS OF APPROVAL

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An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

93. Public Safety Funding. Prior to issuance of a Grading Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the Grading Permit.

This condition must be fully satisfied prior to issuance of the Grading Permit approval. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

94. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.

Transportation Engineering Division

95. All gated entrances (except emergency-only access or exit only access) shall be provided with the following:

a) A storage lane with a minimum of 75' provided for queuing.

CONDITIONS OF APPROVAL

Plot Plan (PEN21-0102)

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b) No Parking signs shall be posted in the turnaround areas.

All of these features must be kept in working order.

96. Project driveway approach along Heacock Street shall provide an AC Pavement Connection (Paved Driveway) with 50-ft radii.
97. Prior to final approval of any grading, landscape, monument sign, or street improvement plans, the project plans shall demonstrate that sight distance at the project driveways conforms to City Standard Plan No. MVS1-164A, B, C-0.
98. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans – Section 4 for all streets. Signing and striping plans shall be prepared per the latest edition of the California Manual on Uniform Traffic Control Devices (CAMUTCD) and current City of Moreno Valley Standard Plans by a qualified registered civil or traffic engineer.
99. Prior to the issuance of encroachment permit for work in the public right-of-way, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.
100. Prior to release of Public Improvement Agreement (PIA) security, all approved street improvements shall be installed to the satisfaction of the City Engineer.
101. Prior to release of Public Improvement Agreement (PIA) security, all approved signing and striping shall be installed to the satisfaction of the City Engineer.
102. Prior to building permit issuance, the applicant shall provide receipt for or letter from the City of Perris demonstrating they have provided for their fair share sum for the impacts to City of Perris' roadways.

MARCH JOINT POWERS AUTHORITY

October 12, 2022

Julia Descoteaux
Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552

Subject: CEQA Review for the Heacock Logistics Parking Lot

Dear Ms. Descoteaux:

March JPA has reviewed the initial study pertaining to the Heacock Logistics Parking Lot. It is worth noting that this site is within the south Clear Zone: 1) which is an area of elevated aviation accident potential; 2) that the United States Air Force has provided policies through the Air Installation Compatibility Use Zone program that parking lots should not be developed within the Clear Zone; and 3) most importantly, the United States has purchased restrictive land use easements within this area to assure that development does not occur within the area of elevated risk. Accordingly, March JPA provides the following comments to the draft Initial Study:

1. Within the Hazards and Hazardous Materials Section of the Initial Study, threshold F identifies: would the project result in a safety hazard or excessive noise for people residing or working in the project area? March JPA requests that this section identify the historic occurrence of aviation accidents within the Clear Zone. Specifically, March JPA requests that the Initial Study cite that in conformance with military accident data from 1968 – 1995 involving 838 aviation accidents, that 27.4% of those military aviation accidents occur within the Clear Zone. (Source: 1998 March Air reserve base AICUZ, p. B-3).
2. Within the Land Use and Planning Section, threshold b identifies: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA requests that this section fully disclose the existence of Riverside County document number 209559, "DEED FOR CLEAR ZONE EASEMENT", conveying interest in this property (APN# 316-211-014) to the United States of America. This easement specifically states, as identified on page 3 through 4, that the United States has acquired an interest in this property to prohibit all land uses except: a) agriculture; 2) grazing; c) permanent open space; d) existing water areas; e) rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and f) communication and utilities rights-of-way.

Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

3. Within the Land Use and Planning Section, threshold b identifies:) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA also requests this section fully disclose the AICUZ land use compatibility table (p. A-3) recommendation for standard land use coding manual (SLUCM) use 46 (Auto Parking) for the Clear Zone, which recommends Automobile Parking not occur in the Clear Zone.
4. March JPA believes this new information constitutes substantial evidence of a potential significant impact relating to Land Use and Planning, and that after further consultation with the United States Air Force and Air Force Reserve, the proposal should move forward on the preparation of an Environmental Impact Report.
5. March JPA believes this item is subject to Riverside County Airport Land Use Commission (RCALUC). Please contact Paul Rull at (951) 955-6893.

Please contact me if I may provide further information.

Sincerely,



Dan Fairbanks
March JPA Planning Director

cc: Major David N. Shaw, 452 Base Civil Engineer
Paul Rull, Director, Riverside County Airport Land Use Commission

Attach: Riverside County record document #209559
Assessor Parcel Map for parcel number 316-211-014

449370 ✓K

209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
At Request of
TICOR TITLE INSURANCE CO.

Book 1984, Page 209559
SEP 27 1984

Recorded in Official Records
of Riverside County, California
William F. Pomeroy
Recorder
Fees \$ 8

DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

In consideration of the sum of SEVENTY-SEVEN THOUSAND AND NINETY AND NO/100 DOLLARS (\$77,090.00) the receipt and sufficiency of which is hereby acknowledged, JENNIE IPARACURRIE

hereby grants to the United States of America and its assigns a clear zone easement as described in exhibit "A," over the land described in exhibit "B," said exhibits being attached hereto and made a part hereof.

Said easement is being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project, Riverside County, California, and is designated as Tract No. 1203-E in the records of the U.S. Army Engineer District, 300 North Los Angeles Street, Los Angeles, California 90012.

Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

This conveyance is made subject to existing easements for public highways, public roads, public utilities, railroads, pipelines, covenants, conditions and restrictions of record, and to any water rights, claims or title to water on or under said land.

Executed this 23 day of AUGUST, 1984.

Jennie Iparaguirre
JENNIE IPARAGUIRRE

Dated: August 23, 1984

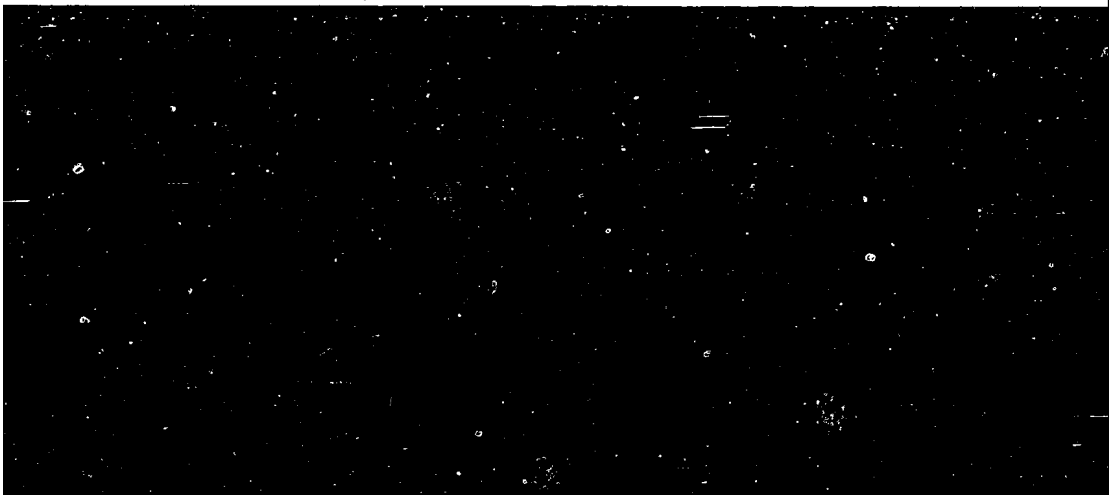
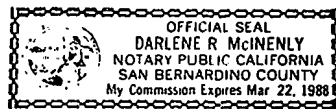
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

On AUGUST 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIE IPARAGUIRRE

personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that SHE executed the same.
WITNESS my hand and official seal.

Signature Darlene R. McInenly

(This space for Official Notarial Seal)



Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

March Air Force Base, CA
 Tract No. 1203-E
 Expanded Clear Zone

209559

RESTRICTIVE EASEMENT

A perpetual and assignable easement is hereby created in the United States of America, hereinafter called the Government, for the establishment, maintenance and operation of a restrictive use area for the operation of aircraft to and from the air installation currently known as March Air Force Base, hereinafter called the Base, consisting of the following rights in the land described in Exhibit "A" for the following purposes:

1. The right to make low and frequent flights over said land to generate noises associated with:
 - a. aircraft in flight, whether or not while directly over said land;
 - b. aircraft and aircraft engines operating on the ground at said Base;
 and
 - c. aircraft engine test-stand operations at said Base.
2. The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.
3. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
4. The right to prohibit electrical emissions which would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.
5. The right to prohibit and remove any buildings or other non-frangible structures.
6. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the officer having command of the Base determines might interfere with the operation of aircraft, including emergency landings.
7. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.
8. The right to post signs on said land indicating the nature and extent of the United States' control over said land.
9. The right to prohibit all land uses other than the following:
 - a. agriculture;
 - b. grazing (excluding feed lots and dairy herds);

EXHIBIT A

Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

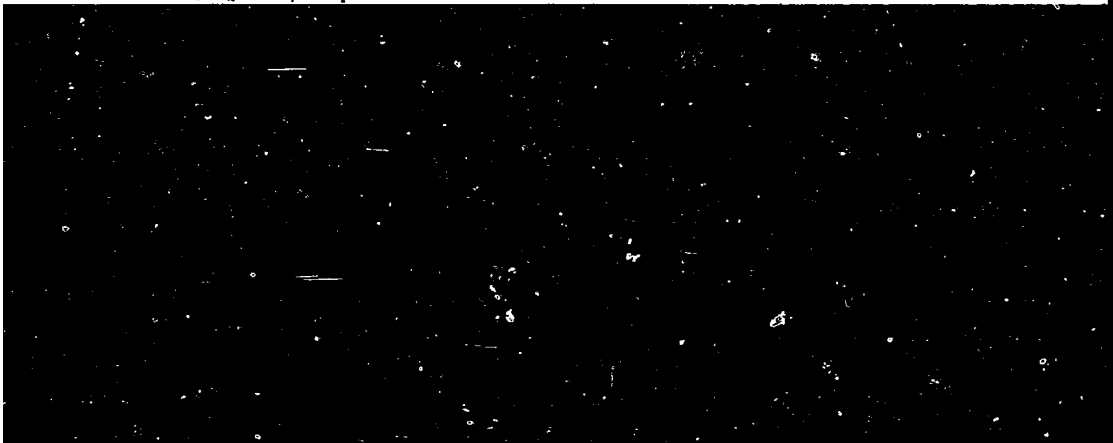
RESTRICTIVE EASEMENT (cont'd)

- c. permanent open space;
- d. existing water areas;
- e. rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and
- f. communications and utilities rights-of-way.

10. The right to prohibit entry of persons onto the land except in connection with activities authorized under a., b., e., and f. above.

Subject, however, to existing easements for public roads and highways, public utilities, railroad, and pipelines, reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easements hereby acquired.

For the consideration recited above, the Grantor agrees to abide by the following covenant which shall run with the land: That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantor for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, and the Grantor expressly releases and relinquishes any and all claims against any of the aforementioned for further or future payment of consideration for the aforesaid easement and rights granted herein.



Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

DATE: 5 July 1983
 TRACT: 1203-E-1
 OWNER: Jennie Iparagurrie
 ACREAGE: 9.72
 PROJECT: March Air Force Base (AICUZ)
 LOCATION: Riverside County, California
 FILE: 281-T-1203-E-1

A parcel of land situate in the County of Riverside, State of California, being that portion in the West one-half of Lot 29 in Block 1 of Riverside Alfalfa Acres, as shown on map recorded in Book 8, page 21 of Maps, in the office of the Recorder of said County, and being that portion of the Southwest one-quarter of Section 31, Township 3 South, Range 3 West, San Bernardino Meridian, described as follows, basis of bearings being California Coordinate System, Zone 6, (Chap. 1307, Statutes of 1947):

Commencing at the Southwest corner of said Section 31, and the centerline intersection of Heacock Street and Oleander Avenue; thence leaving said Oleander Avenue North $01^{\circ} 15' 51''$ East along the centerline of said Heacock Street a distance of 90 feet to the TRUE POINT OF BEGINNING; thence continuing North $01^{\circ} 15' 51''$ East a distance of 576.50 feet to the North line of said Lot 29; thence South $89^{\circ} 31' 20''$ East along last said lot line a distance of 693.92 feet; thence South $00^{\circ} 15' 48''$ East a distance of 596.54 feet; thence North $89^{\circ} 31' 34''$ West a distance of 731.99 feet to the TRUE POINT OF BEGINNING.

Containing 9.72 acres, more or less, including 0.397 acre lying within Heacock Street.

EXCEPTING any portion lying within the Riverside Flood Control 90 foot strip which includes the South 70 feet of said Lot 28.

ALSO EXCEPTING the West 10 feet of said Lot 28.

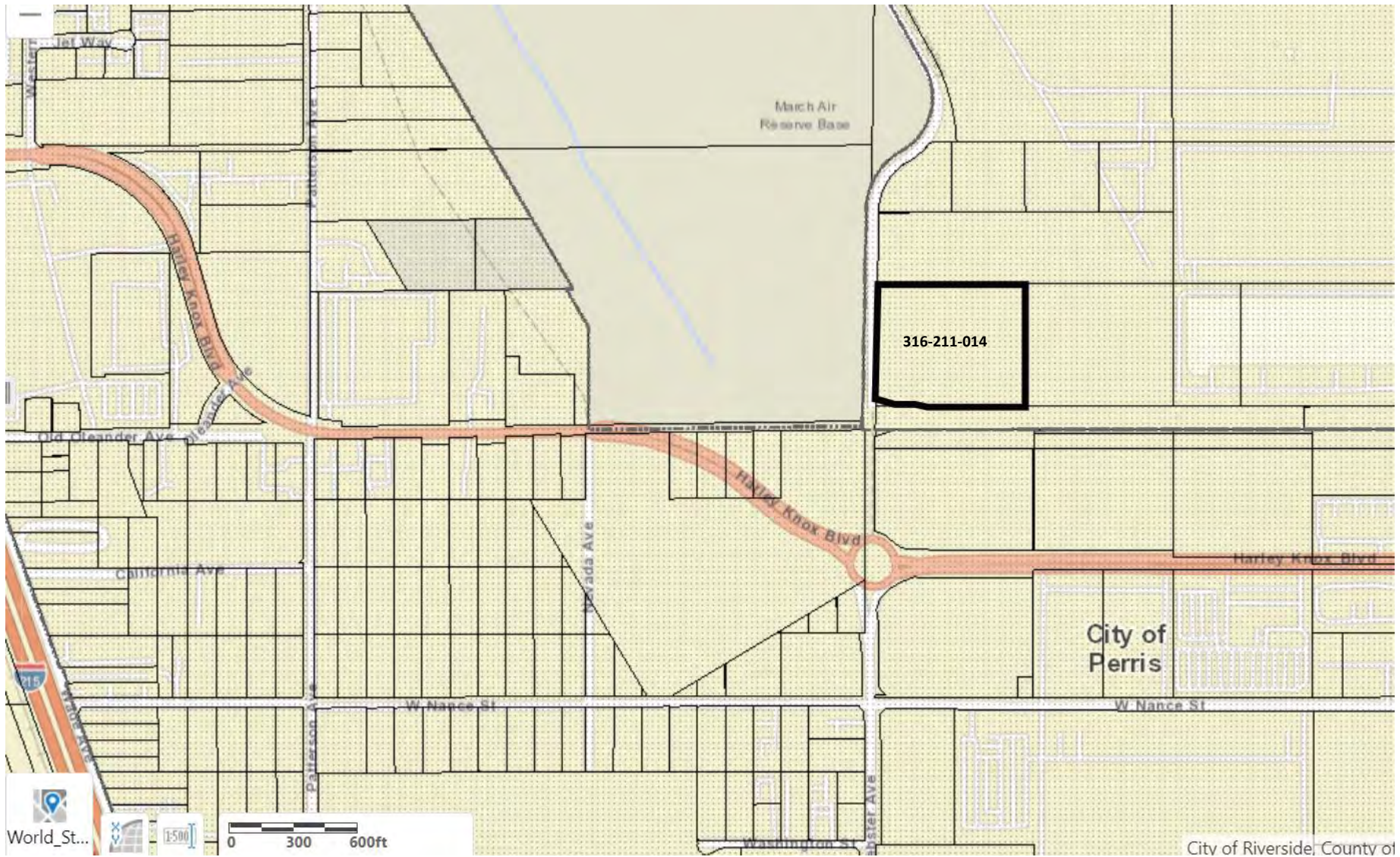
Written by: EP

FILE NO: 281-T-1203-E-1

Checked by: CU

EXHIBIT B

Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



Attachment: Initial Study Comment (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

MARCH JOINT POWERS AUTHORITY

October 12, 2022

Julia Descoteaux
Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552

Subject: CEQA Review for the Heacock Logistics Parking Lot

Dear Ms. Descoteaux:

March JPA has reviewed the initial study pertaining to the Heacock Logistics Parking Lot. It is worth noting that this site is within the south Clear Zone: 1) which is an area of elevated aviation accident potential; 2) that the United States Air Force has provided policies through the Air Installation Compatibility Use Zone program that parking lots should not be developed within the Clear Zone; and 3) most importantly, the United States has purchased restrictive land use easements within this area to assure that development does not occur within the area of elevated risk. Accordingly, March JPA provides the following comments to the draft Initial Study:

1. Within the Hazards and Hazardous Materials Section of the Initial Study, threshold F identifies: would the project result in a safety hazard or excessive noise for people residing or working in the project area? March JPA requests that this section identify the historic occurrence of aviation accidents within the Clear Zone. Specifically, March JPA requests that the Initial Study cite that in conformance with military accident data from 1968 – 1995 involving 838 aviation accidents, that 27.4% of those military aviation accidents occur within the Clear Zone. (Source: 1998 March Air reserve base AICUZ, p. B-3).
2. Within the Land Use and Planning Section, threshold b identifies: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA requests that this section fully disclose the existence of Riverside County document number 209559, "DEED FOR CLEAR ZONE EASEMENT", conveying interest in this property (APN# 316-211-014) to the United States of America. This easement specifically states, as identified on page 3 through 4, that the United States has acquired an interest in this property to prohibit all land uses except: a) agriculture; 2) grazing; c) permanent open space; d) existing water areas; e) rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and f) communication and utilities rights-of-way.

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

3. Within the Land Use and Planning Section, threshold b identifies:) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? March JPA also requests this section fully disclose the AICUZ land use compatibility table (p. A-3) recommendation for standard land use coding manual (SLUCM) use 46 (Auto Parking) for the Clear Zone, which recommends Automobile Parking not occur in the Clear Zone.
4. March JPA believes this new information constitutes substantial evidence of a potential significant impact relating to Land Use and Planning, and that after further consultation with the United States Air Force and Air Force Reserve, the proposal should move forward on the preparation of an Environmental Impact Report.
5. March JPA believes this item is subject to Riverside County Airport Land Use Commission (RCALUC). Please contact Paul Rull at (951) 955-6893.

Please contact me if I may provide further information.

Sincerely,



Dan Fairbanks
March JPA Planning Director

cc: Major David N. Shaw, 452 Base Civil Engineer
Paul Rull, Director, Riverside County Airport Land Use Commission

Attach: Riverside County record document #209559
Assessor Parcel Map for parcel number 316-211-014

449370 ✓K

209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
At Request of
TICOR TITLE INSURANCE CO.

Book 1984, Page 209559
SEP 27 1984

Recorded in Official Records
of Riverside County, California
William F. Pomeroy
Recorder
Fees \$ 8

DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

In consideration of the sum of SEVENTY-SEVEN THOUSAND AND NINETY AND NO/100 DOLLARS (\$77,090.00) the receipt and sufficiency of which is hereby acknowledged, JENNIE IPARACURRIE

hereby grants to the United States of America and its assigns a clear zone easement as described in exhibit "A," over the land described in exhibit "B," said exhibits being attached hereto and made a part hereof.

Said easement is being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project, Riverside County, California, and is designated as Tract No. 1203-E in the records of the U.S. Army Engineer District, 300 North Los Angeles Street, Los Angeles, California 90012.

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

This conveyance is made subject to existing easements for public highways, public roads, public utilities, railroads, pipelines, covenants, conditions and restrictions of record, and to any water rights, claims or title to water on or under said land.

Executed this 23 day of AUGUST, 1984.

Jennie Iparaguirre
JENNIE IPARAGUIRRE

Dated: August 23, 1984

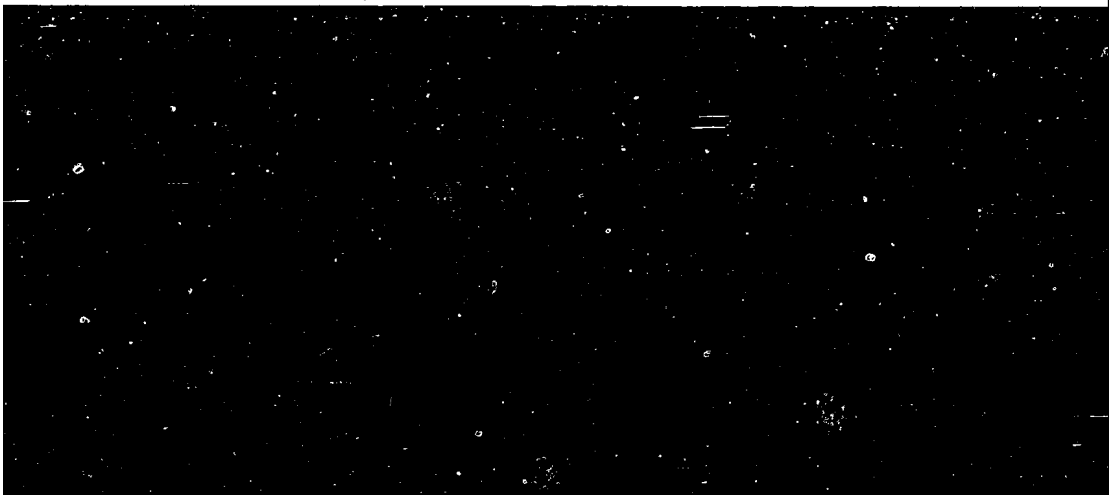
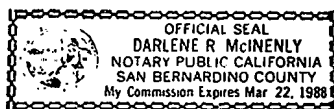
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

On AUGUST 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIE IPARAGUIRRE

personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that SHE executed the same.
WITNESS my hand and official seal.

Signature Darlene R. McInenly

(This space for Official Notarial Seal)



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March Air Force Base, CA
 Tract No. 1203-E
 Expanded Clear Zone

209559

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1. The right to make low and frequent flights over said land to generate noises associated with:
 - a. aircraft in flight, whether or not while directly over said land;
 - b. aircraft and aircraft engines operating on the ground at said Base;
 and
 - c. aircraft engine test-stand operations at said Base.
2. The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.
3. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
4. The right to prohibit electrical emissions which would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.
5. The right to prohibit and remove any buildings or other non-frangible structures.
6. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the officer having command of the Base determines might interfere with the operation of aircraft, including emergency landings.
7. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.
8. The right to post signs on said land indicating the nature and extent of the United States' control over said land.
9. The right to prohibit all land uses other than the following:
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209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

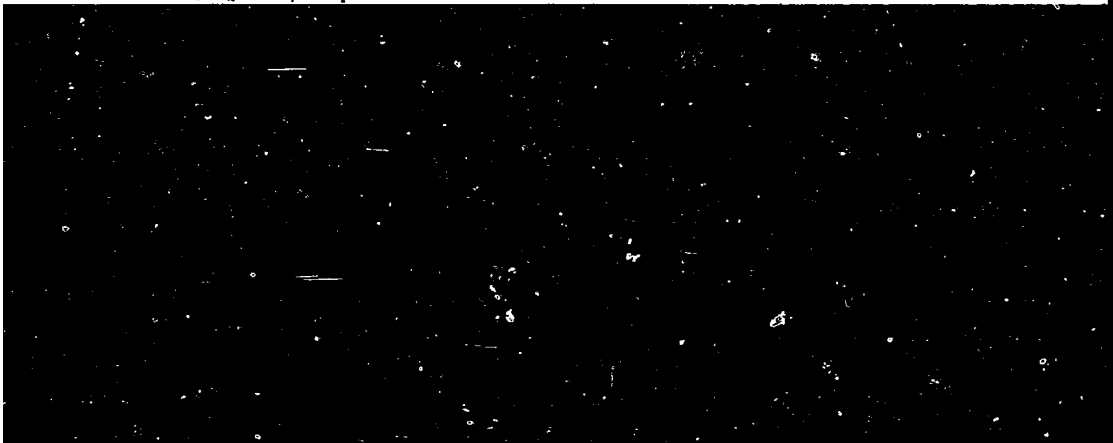
RESTRICTIVE EASEMENT (cont'd)

- c. permanent open space;
- d. existing water areas;
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Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

DATE: 5 July 1983
TRACT: 1203-E-1
OWNER: Jennie Iparagurrie
ACREAGE: 9.72
PROJECT: March Air Force Base (AICUZ)
LOCATION: Riverside County, California
FILE: 281-T-1203-E-1

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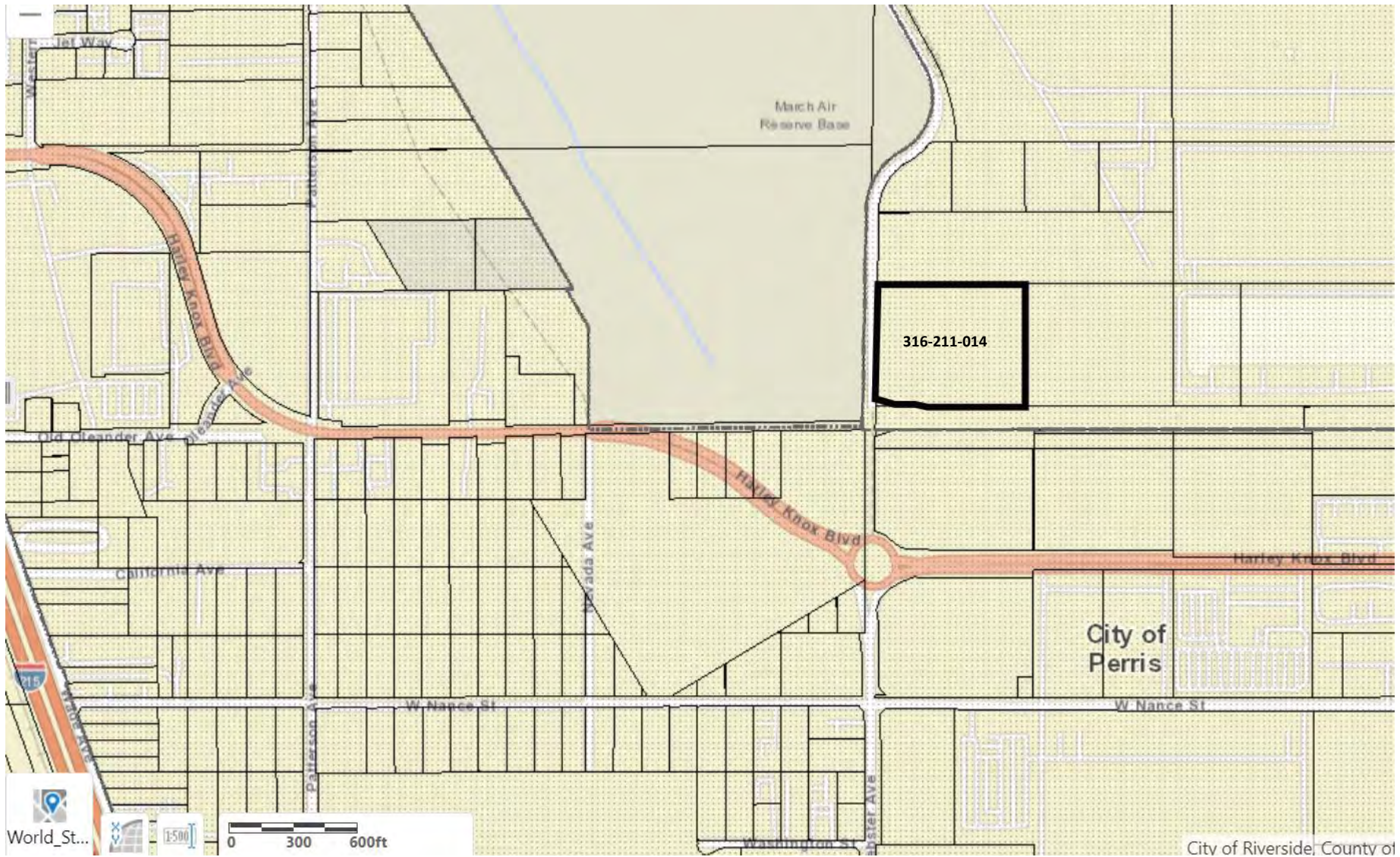
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Written by: EP
Checked by: CU

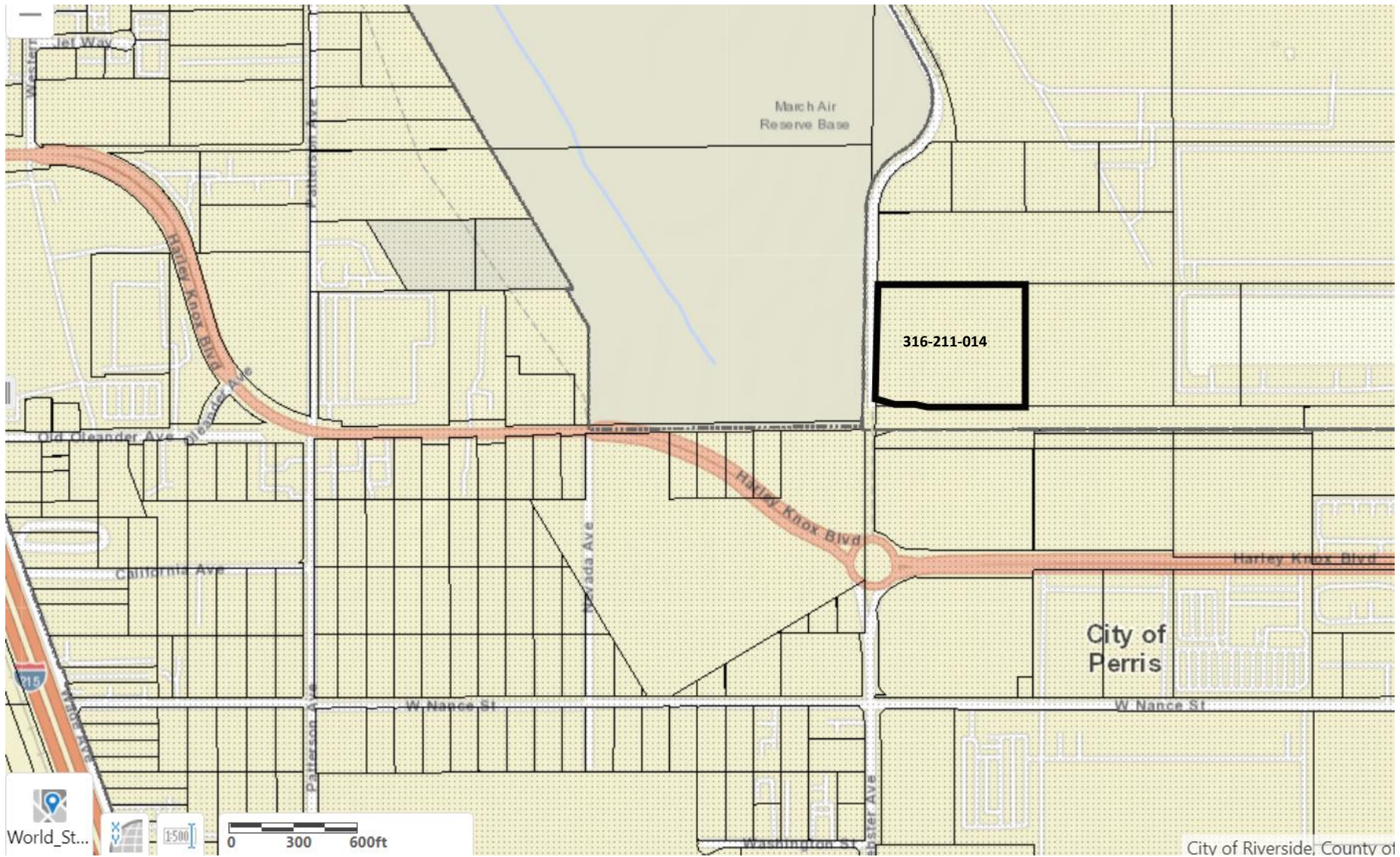
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449370 ✓K

209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
AT Request of
TICOR TITLE INSURANCE CO.

Book 1984, Page 209559
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Recorded in Official Records
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William F. Pomeroy
Recorder
Fees \$ 8

DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

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Jennie Iparaguirre
JENNIE IPARAGUIRRE

Dated: August 23, 1984

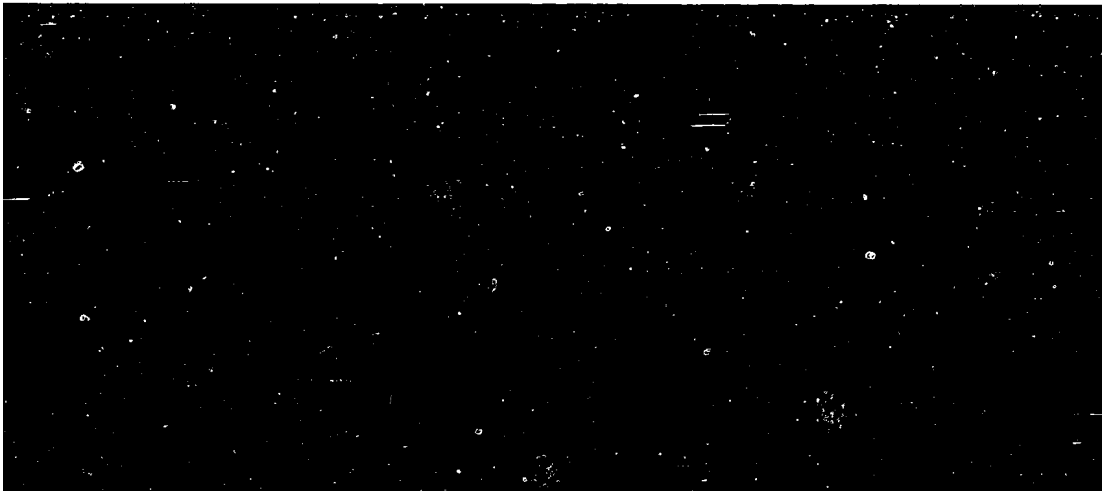
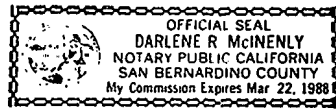
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WITNESS my hand and official seal.

Signature Darlene R. McInenly

(This space for Official Notarial Seal)



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March Air Force Base, CA
 Tract No. 1203-E
 Expanded Clear Zone

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209559

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Tract No. 1203-E
Expanded Clear Zone

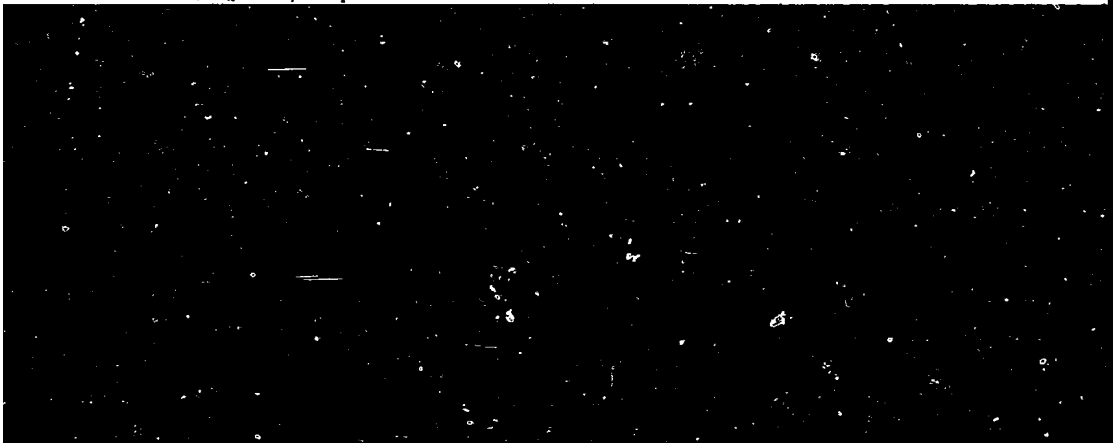
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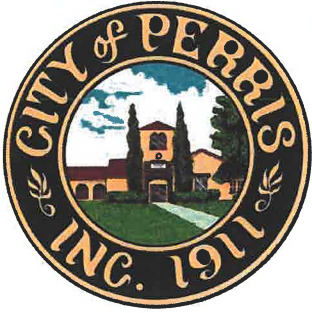
ALSO EXCEPTING the West 10 feet of said Lot 28.

Written by: EP
Checked by: CU

FILE NO: 281-T-1203-E-1

EXHIBIT B

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



CITY OF PERRIS

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

October 18, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley
Community Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

SUBJECT: CITY OF PERRIS COMMENTS - INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR PROPOSED HEACOCK LOGISTICS PARKING LOT, LOCATED ON THE EAST SIDE OF HEACOCK STREET AND NORTH OF THE PERRIS VALLEY STORM DRAIN AND PERRIS CITY LIMITS (APNs: 316-211-014)

Dear Ms. Descoteaux:

The City of Perris appreciates the opportunity to comment on the Notice of Intent to adopt a Mitigated Negative Declaration prepared for a proposed Heacock Logistics Parking Lot consisting of 194 spaces, 12 feet in width by 30 feet in depth, located on the east side of Heacock Street and north of the Perris Valley Storm Drain and Perris City limits.

The City provides the below comments in light of the Project's proximity to the City of Perris:

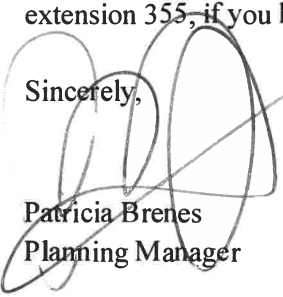
1. **Transportation** – Site Plan shows parking spaces 12' x 30' in size, which were analyzed in the project specific Traffic Impact Analysis under two options. Option 1 for passenger vehicles and option 2 for semi trucks. Since the project has been designed for parking and circulation of semi trucks and passenger vehicles with impacts onto Harley Knox Boulevard, the following traffic related comments are provided:
 - a. Prior to issuance of any permits, a fair share sum for the impacts to City of Perris' roadways shall be paid to the City of Perris. To determine the extent of the impacts, a Traffic Impact Analysis (TIA) shall be submitted for review. Refer to Memorandum prepared by Fehr & Peers, dated September 9, 2022.
 - b. Also, the extension/connection of Heacock Street to Harley Knox Boulevard is identified as a City of Moreno Valley Transportation Uniform Mitigation Fee (TUMF) roadway project in the Riverside County Transportation Commission (RCTC) regional roadway system. Subsequently, to ensure consistency, the right-of-way width and alignment of Heacock Street shall be coordinated with the roadway designation and classification per City of Perris' General Plan. The correlation will provide the required data to determine the roadway's design criteria and the

extent of improvements at the Harley Knox Boulevard/Webster Avenue roundabout. City of Perris' roadway designations for Harley Knox Boulevard and Webster Avenue are as follows:

- c. Harley Knox Boulevard is classified as a Primary Arterial (128'/94') with a 14 foot wide raised landscaped median.
 - d. Webster Avenue is classified as a Secondar Arterial (94'/64').
2. **CEQA.** Please provide future notices prepared for the Project site pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

The City of Perris thanks you for considering these comments. Please feel free to contact me at (951) 943-5003, extension 355, if you have any questions or would like to discuss the above concern in further detail.

Sincerely,



Patricia Brenes
Planning Manager

Cc: Clara Miramontes, City Manager
Wendell Bugtai, Assistant City Manager
Robert Khuu City Attorney
Kenneth Phung, Director of Development Services
Stuart McKibbin, City Engineer

Enclosure

Memorandum

Date: September 9, 2022

To: City of Perris
Habib Motlagh
Grace Alvarez

From: Jason D. Pack, PE
Biling Liu

Subject: I-215 / Harley Knox Interchange Improvements Fair Share Assessment for the City of Perris

OC21-0858.01

The City of Perris, in cooperation with the California Department of Transportation (Caltrans) District 8, is evaluating proposed improvements at the Interstate 215 (I-215) and Harley Knox Boulevard interchange. The project is needed to address the current and future operational deficiencies.

Fehr & Peers is working with Mark Thomas to prepare the Traffic Volumes Report and Traffic Operations Analysis Report (TOAR) in support of the Project Approval and Environmental Document (PA/ED) phase of the project.

To assist with delivering the project, the City is considering a variety of funding opportunities. Since the Harley Knox interchange is located at the northernmost area of the City, development from nearby communities will also benefit from the improvements to the interchange. As such, Fehr & Peers has completed a fair share assessment to determine where new trips to the interchange are expected to come from.

The remainder of this memorandum consists of the following sections:

- RICOM Modeling
- Fair Share Estimation
- Cost Estimation
- Conclusion



RIVCOM Modeling

Fehr & Peers utilized the RIVCOM travel demand forecasting model to complete a select link analysis between base year and future year. In a select link analysis, the model can track where trips using a specific link come from/go to as predicted by the travel demand forecasting model.

We completed the select link for each on and off ramp in addition to the railroad overcrossing and the freeway overcrossing. Our fair share calculation estimates the amount of new traffic added to each of these interchange components individually, but also aggregated the data as a weighted average to estimate an overall interchange cost consideration.

The select link was run for the RIVCOM model base year model and future year model. The difference between the two, or the growth anticipated by the model, was then estimated and aggregated up to where each trip end is located. This was then identified by jurisdictional boundary to where the trips using the interchange originated from or were destined to which allowed us to estimate a fair-share contribution by agency.

Prior to running the future year travel demand forecasting model, we coordinated with the County of Riverside, City of Perris, and the City of Moreno Valley to ensure that we incorporated all planned development in the area that may use the interchange into the RIVCOM travel demand model. The lists of projects received from these agencies is attached.

Fair Share Estimation

As noted above, fair share was estimated for each interchange component and for the interchange as a whole using the weighted average of traffic to each interchange component. This could be useful if the City moves forward with a fair share funding agreement with nearby agencies to assist in delivering improvements to the interchange.

The fair share estimates focused in on growth – e.g. the growth in traffic between the base year model and the future year model. This growth was also allocated to the locations where trips came from/went to and was allocated to those jurisdictions accordingly. The resulting fair share calculations presented in **Table 1**. Detailed model output information is attached to this memorandum.

Cost Estimates

Preliminary draft cost estimates were developed for the project by Mark Thomas & Company, the civil engineering lead for the PA/ED phase of the project. Cost estimates for the interchange were prepared denoting costs for each interchange component in addition to the total cost of the interchange. The cost estimate is presented as Attachment C. For this effort, Fehr & Peers utilized the escalated cost estimate for the Diverging Diamond Alternative.

Table 1 – RIVCOM Fair Share Contribution Estimates

City	Time Period	2018							2045 With Moreno Valley Updates							Traffic Growth (2045 With Moreno Valley - 2018)																													
		SB Off-Ramp Total %	SB On-Ramp Total %	NB Off-Ramp Total %	NB On-Ramp Total %	ail_Overcrossing Total %	dge_Overcrossing Total %	Interchange Total %	SB Off-Ramp Total %	SB On-Ramp Total %	NB Off-Ramp Total %	NB On-Ramp Total %	ail_Overcrossing Total %	dge_Overcrossing Total %	Interchange Total %	SB Off-Ramp Total %	SB On-Ramp Total %	NB Off-Ramp Total %	NB On-Ramp Total %	ail_Overcrossing Total %	dge_Overcrossing Total %	Interchange Total %																							
BANNING	Day	19	0%	0	0%	0	0%	20	0%	37	0%	21	0%	37	0%	50	0%	0	0%	0	0%	47	0%	37	0%	43	0%	243	0%	31	1%	0	0%	0	0%	27	1%	60	0%	28	0%	147	0%		
BEAUMONT	Day	36	0%	0	0%	0	0%	39	0%	71	0%	41	0%	188	0%	106	0%	0	0%	0	0%	115	0%	220	1%	120	0%	561	0%	70	1%	0	0%	0	0%	75	3%	143	1%	78	1%	373	1%		
BLYTHE	Day	0	0%	0	0%	0	0%	0	0%	1	0%	0	0%	2	0%	1	0%	0	0%	0	0%	1	0%	3	0%	2	0%	7	0%	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	5	0%		
CALIMESA	Day	6	0%	0	0%	0	0%	6	0%	12	0%	7	0%	32	0%	29	0%	0	0%	0	0%	34	0%	69	0%	42	0%	173	0%	22	0%	0	0%	0	0%	27	1%	57	0%	35	0%	141	0%		
CANYON LAKE	Day	0	0%	7	1%	5	1%	76	0%	80	0%	83	0%	250	0%	0	0%	7	0%	5	0%	76	0%	80	0%	83	0%	250	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CATHEDRAL CITY	Day	5	0%	0	0%	0	0%	4	0%	3	0%	5	0%	24	0%	15	0%	0	0%	0	0%	16	0%	30	0%	16	0%	77	0%	10	0%	0	0%	0	0%	11	0%	21	0%	11	0%	54	0%		
COACHELLA	Day	3	0%	0	0%	0	0%	2	0%	5	0%	3	0%	13	0%	21	0%	0	0%	0	0%	21	0%	41	0%	22	0%	105	0%	19	0%	0	0%	0	0%	18	1%	36	0%	19	0%	92	0%		
CORONA	Day	183	1%	0	0%	0	0%	155	1%	73	0%	242	1%	652	1%	183	1%	0	0%	0	0%	155	1%	85	0%	242	1%	664	1%	0	0%	0	0%	0	0%	0	0%	12	0%	0	0%	12	0%		
DESERT HOT SPRINGS	Day	3	0%	0	0%	0	0%	3	0%	5	0%	3	0%	15	0%	19	0%	0	0%	0	0%	18	0%	36	0%	19	0%	92	0%	16	0%	0	0%	0	0%	15	1%	31	0%	15	0%	77	0%		
EASTVALE	Day	67	0%	0	0%	0	0%	72	0%	48	0%	64	0%	249	0%	81	0%	1	0%	0	0%	72	0%	68	0%	70	0%	291	0%	15	0%	1	0%	0	0%	20	0%	6	0%	42	0%				
HEMET	Day	0	0%	15	2%	13	2%	16	0%	6	0%	12	0%	62	0%	0	0%	67	2%	75	2%	16	0%	89	0%	71	0%	318	0%	0	0%	52	2%	62	2%	0	0%	83	0%	58	0%	256	1%		
INDIAN WELLS	Day	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	6	0%	2	0%	0	0%	0	0%	2	0%	4	0%	2	0%	9	0%	0	0%	0	0%	0	0%	1	0%	1	0%	1	0%	3	0%		
INDIO	Day	7	0%	0	0%	0	0%	6	0%	13	0%	7	0%	33	0%	17	0%	0	0%	0	0%	18	0%	35	0%	19	0%	89	0%	11	0%	0	0%	0	0%	12	0%	22	0%	12	0%	56	0%		
JURUPA VALLEY	Day	274	2%	0	0%	0	0%	316	2%	290	1%	279	1%	1,159	1%	321	1%	0	0%	0	0%	316	1%	368	1%	294	1%	1,299	1%	47	1%	0	0%	0	0%	0	0%	77	0%	15	0%	140	0%		
LA QUINTA	Day	4	0%	0	0%	0	0%	4	0%	8	0%	5	0%	21	0%	8	0%	0	0%	0	0%	9	0%	17	0%	9	0%	44	0%	4	0%	0	0%	0	0%	5	0%	3	0%	5	0%	23	0%		
LAKE ELSINORE	Day	0	0%	24	3%	17	2%	187	1%	200	1%	215	1%	643	1%	244	1%	117	4%	36	3%	187	1%	507	1%	279	1%	1,429	1%	244	5%	93	4%	79	3%	0	0%	307	1%	64	1%	786	2%		
MENIFEE	Day	0	0%	76	3%	68	3%	0	0%	27	0%	63	0%	234	0%	0	0%	311	10%	313	3%	0	0%	308	1%	327	1%	1,259	1%	0	0%	235	10%	245	10%	0	0%	281	1%	264	2%	1,025	2%		
MORENO VALLEY	Day	4,347	0%	1	0%	0	0%	4,700	23%	4,429	20%	6,741	27%	20,218	23%	4,621	20%	134	4%	5	0%	5,214	22%	8,467	20%	3,803	27%	28,244	21%	274	6%	133	6%	5	0%	515	18%	4,037	19%	3,062	25%	8,026	18%		
MURRIETA	Day	0	0%	26	3%	22	3%	0	0%	10	0%	21	0%	73	0%	0	0%	101	3%	101	3%	0	0%	102	0%	108	0%	411	0%	0	0%	75	3%	79	3%	0	0%	92	0%	87	1%	332	1%		
NORCO	Day	42	0%	0	0%	0	0%	42	0%	3	0%	41	0%	128	0%	42	0%	0	0%	0	0%	42	0%	11	0%	41	0%	136	0%	0	0%	0	0%	0	0%	0	0%	9	0%	0	0%	9	0%		
PALM DESERT	Day	11	0%	0	0%	0	0%	9	0%	22	0%	12	0%	55	0%	15	0%	0	0%	0	0%	19	0%	33	0%	19	0%	86	0%	3	0%	0	0%	0	0%	9	0%	11	0%	7	0%	31	0%		
PALM SPRINGS	Day	10	0%	0	0%	0	0%	9	0%	21	0%	11	0%	51	0%	18	0%	0	0%	0	0%	22	0%	40	0%	22	0%	102	0%	8	0%	0	0%	13	0%	19	0%	11	0%	51	0%				
PERRIS	Day	1,335	0%	500	57%	475	65%	2,742	13%	849	4%	2,886	12%	3,387	11%	1,335	3%	859	27%	953	29%	2,742	12%	2,338	5%	3,639	10%	12,467	9%	0	0%	353	15%	478	19%	0	0%	1,489	7%	754	6%	3,080	7%		
RANCHO MIRAGE	Day	5	0%	0	0%	0	0%	4	0%	9	0%	5	0%	22	0%	7	0%	0	0%	0	0%	8	0%	15	0%	8	0%	38	0%	2	0%	0	0%	0	0%	4	0%	4	0%	4	0%	16	0%		
RIVERSIDE	Day	3,054	0%	0	0%	0	0%	3,650	18%	2,274	10%	3,214	13%	12,192	14%	3,655	16%	0	0%	34	1%	3,650	16%	3,611	8%	3,446	9%	14,397	11%	602	12%	0	0%	34	1%	0	0%	1,337	6%	232	2%	2,205	5%		
SAN JACINTO	Day	0	0%	1	0%	0	0%	40	0%	1	0%	0	0%	41	0%	0	0%	19	1%	18	1%	40	0%	29	0%	16	0%	123	0%	0	0%	18	1%	18	1%	0	0%	29	0%	16	0%	81	0%		
TEMECULA	Day	0	0%	20	2%	17	2%	0	0%	8	0%	17	0%	62	0%	0	0%	119	4%	124	4%	0	0%	131	0%	130	0%	503	0%	0	0%	99	4%	107	4%	0	0%	123	1%	113	1%	441	1%		
Unincorporated/Not a city	Day	4,400	25%	161	18%	80	11%	4,797	23%	10,444	48%	7,249	29%	27,132	31%	6,395	31%	1,309	41%	1,416	43%	6,390	27%	20,649	48%	13,846	38%	50,604	38%	2,595	52%	1,148	50%	1,335	52%	1,592	57%	10,205	49%	6,596	54%	8,888	51%		
WILDOMAR	Day	0	0%	8	1%	7	1%	11	0%	15	0%	18	0%	60	0%	0	0%	45	1%	44	1%	11	0%	41	0%	45	0%	186	0%	0	0%	36	2%	36	1%	0	0%	27	0%	27	0%	126	0%		
External	Day	3,325	19%	35	4%	29	4%	3,636	18%	2,326	13%	3,461	14%	13,412	16%	4,316	19%	104	3%	115	3%	4,089	18%	5,202	12%	4,134	11%	17,960	14%	391	20%	63	3%	86	3%	453	16%	2,276	11%	673	6%	4,547	10%		
Total	Day	17,736	100%	874	100%	732	100%	20,549	100%	21,898	100%	24,728	100%	86,517	100%	22,702	100%	3,192	100%	3,297	100%	23,331	100%	42,726	100%	36,921	100%	132,168	100%	4,966	100%	2,318	100%	2,565	100%	2,782	100%	20,827	100%	12,193	100%	45,651	100%		

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Please note that Mark Thomas & Company provided Fehr & Peers with direction about key cost estimate assumptions and how they should be allocated to each interchange component. For example, although the bridge components are a stand-alone cost estimate, the roadway and right-of-way information is not broken out by interchange component. Mark Thomas & Company identified that the ramp improvements are fairly comparable and should be split up proportionately (e.g. 25% to each ramp), but the right-of-way costs should be split only between the northbound ramps (50% to each ramp). The following costs were included into the fair share assessment (note, total component costs may not add up to total interchange costs due to rounding):

- Total interchange cost - \$68,300,000
 - Freeway Overcrossing Structure - \$16,414,000
 - Railroad Overcrossing Structure - \$12,403,000
 - Southbound Off-Ramp - \$9,601,000
 - Southbound On-Ramp - \$9,601,000
 - Northbound Off-Ramp - \$10,111,000
 - Northbound On-Ramp - \$10,111,000

These cost estimates were combined with the fair share estimates by agency to estimate the fair share attributable to each agency.

Conclusions

The results of the fair share assessment indicate that most of the traffic expected to be added to the Harley Knox interchange is not to/from the City of Perris – rather origins/destinations in unincorporated Riverside County, City of Moreno Valley, and locations that are external to the travel demand model. Specifically, the six largest contributions the model anticipated are:

1. Unincorporated Riverside County – 53%
2. Moreno Valley – 16%
3. Model Externalities (e.g. outside of the model area) – 9%
4. Perris – 6%
5. Riverside – 3%
6. Menifee – 3%

The top five nearby local agencies (Riverside County, Moreno Valley, Perris, Riverside, and Menifee) fair share contributions were applied to the cost estimates to estimate the total fair share contribution for each agency based on the traffic they add to the interchange. **Table 2** summarizes the estimated fair share estimates for the interchange as a whole (using the total interchange cost and the weighted average fair share estimates). **Table 3** summarizes the fair share estimates



Table 2 – Fair Share Estimates; Interchange as a Whole

Perris Fair Share	\$4,608,000
Riverside County Fair Share	\$35,118,000
Moreno Valley Fair Share	\$12,009,000
Menifee Fair Share	\$1,534,000
Riverside Fair Share	\$497,000
Total Interchange Cost	\$68,300,000

Source; Fehr & Peers, 2022

Note – Only the five agencies with the highest level of contribution are presented above. The remaining agencies contribute less than 2% of the total traffic to the interchange.

Table 3 – Fair Share Estimates; Contribution to Each Interchange Component

	Freeway Overcrossing	Railroad Overcrossing	Southbound Off-Ramp	Southbound On-Ramp	Northbound Off-Ramp	Northbound On-Ramp	Total Fair Share Cost
Perris	\$ 1,015,000	\$ 887,000	\$ -	\$ 1,488,000	\$ 1,885,000	\$ -	\$ 5,274,000
Riverside County	\$ 8,879,000	\$ 6,077,000	\$ 5,018,000	\$ 4,756,000	\$ 5,264,000	\$ 5,788,000	\$ 35,783,000
Moreno Valley	\$ 4,122,000	\$ 2,404,000	\$ 530,000	\$ 552,000	\$ 21,000	\$ 1,870,000	\$ 9,499,000
Menifee	\$ 117,000	\$ 55,000	\$ -	\$ 311,000	\$ 312,000	\$ -	\$ 794,000
Riverside	\$ 356,000	\$ 167,000	\$ -	\$ 971,000	\$ 966,000	\$ -	\$ 2,461,000

As shown above, although the interchange is within the City of Perris, most of the growth anticipated to be added to the interchange comes from other jurisdictions. As such, it appears appropriate to coordinate with nearby agencies to develop a funding approach that is inclusive in nature. Specifically, for nearby agencies who contribute traffic to the Harley Knox interchange, it would be appropriate for them to contribute to the interchange delivery.

Habib Motlagh
Grace Alvarez
September 9, 2022
Page 6 of 6



If you have any questions about the information presented above, please contact Jason Pack directly at 949.308.6312. We look forward to our continued work with the City of Perris on this improvement project.

Attachments:

Attachment A – Future Land Use Project Lists
Attachment B – Model Output Calculations
Attachment C – Interchange Cost Estimates

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Memorandum

Date: September 9, 2022

To: City of Perris
Habib Motlagh
Grace Alvarez

From: Jason D. Pack, PE
Biling Liu

Subject: I-215 / Harley Knox Interchange Improvements Fair Share Assessment for the City of Perris

OC21-0858.01

The City of Perris, in cooperation with the California Department of Transportation (Caltrans) District 8, is evaluating proposed improvements at the Interstate 215 (I-215) and Harley Knox Boulevard interchange. The project is needed to address the current and future operational deficiencies.

Fehr & Peers is working with Mark Thomas to prepare the Traffic Volumes Report and Traffic Operations Analysis Report (TOAR) in support of the Project Approval and Environmental Document (PA/ED) phase of the project.

To assist with delivering the project, the City is considering a variety of funding opportunities. Since the Harley Knox interchange is located at the northernmost area of the City, development from nearby communities will also benefit from the improvements to the interchange. As such, Fehr & Peers has completed a fair share assessment to determine where new trips to the interchange are expected to come from.

The remainder of this memorandum consists of the following sections:

- RICOM Modeling
- Fair Share Estimation
- Cost Estimation
- Conclusion



RIVCOM Modeling

Fehr & Peers utilized the RIVCOM travel demand forecasting model to complete a select link analysis between base year and future year. In a select link analysis, the model can track where trips using a specific link come from/go to as predicted by the travel demand forecasting model.

We completed the select link for each on and off ramp in addition to the railroad overcrossing and the freeway overcrossing. Our fair share calculation estimates the amount of new traffic added to each of these interchange components individually, but also aggregated the data as a weighted average to estimate an overall interchange cost consideration.

The select link was run for the RIVCOM model base year model and future year model. The difference between the two, or the growth anticipated by the model, was then estimated and aggregated up to where each trip end is located. This was then identified by jurisdictional boundary to where the trips using the interchange originated from or were destined to which allowed us to estimate a fair-share contribution by agency.

Prior to running the future year travel demand forecasting model, we coordinated with the County of Riverside, City of Perris, and the City of Moreno Valley to ensure that we incorporated all planned development in the area that may use the interchange into the RIVCOM travel demand model. The lists of projects received from these agencies is attached.

Fair Share Estimation

As noted above, fair share was estimated for each interchange component and for the interchange as a whole using the weighted average of traffic to each interchange component. This could be useful if the City moves forward with a fair share funding agreement with nearby agencies to assist in delivering improvements to the interchange.

The fair share estimates focused in on growth – e.g. the growth in traffic between the base year model and the future year model. This growth was also allocated to the locations where trips came from/went to and was allocated to those jurisdictions accordingly. The resulting fair share calculations presented in **Table 1**. Detailed model output information is attached to this memorandum.

Cost Estimates

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Table 1 – RIVCOM Fair Share Contribution Estimates

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BANNING	Day	19	0%	0	0%	0	0%	20	0%	37	0%	21	0%	37	0%	50	0%	0	0%	0	0%	47	0%	37	0%	43	0%	243	0%	31	1%	0	0%	0	0%	27	1%	60	0%	28	0%	147	0%		
BEAUMONT	Day	36	0%	0	0%	0	0%	39	0%	71	0%	41	0%	188	0%	106	0%	0	0%	0	0%	115	0%	220	1%	120	0%	561	0%	70	1%	0	0%	0	0%	75	3%	143	1%	78	1%	373	1%		
BLYTHE	Day	0	0%	0	0%	0	0%	0	0%	1	0%	0	0%	2	0%	1	0%	0	0%	0	0%	1	0%	3	0%	2	0%	7	0%	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	5	0%		
CALIMESA	Day	6	0%	0	0%	0	0%	6	0%	12	0%	7	0%	32	0%	29	0%	0	0%	0	0%	34	0%	69	0%	42	0%	173	0%	22	0%	0	0%	0	0%	27	1%	57	0%	35	0%	141	0%		
CANYON LAKE	Day	0	0%	7	1%	5	1%	76	0%	80	0%	83	0%	250	0%	0	0%	7	0%	5	0%	76	0%	80	0%	83	0%	250	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
CATHEDRAL CITY	Day	5	0%	0	0%	0	0%	4	0%	3	0%	5	0%	24	0%	15	0%	0	0%	0	0%	16	0%	30	0%	16	0%	77	0%	10	0%	0	0%	0	0%	11	0%	21	0%	11	0%	54	0%		
COACHELLA	Day	3	0%	0	0%	0	0%	2	0%	5	0%	3	0%	13	0%	21	0%	0	0%	0	0%	21	0%	41	0%	22	0%	105	0%	19	0%	0	0%	0	0%	18	1%	36	0%	19	0%	92	0%		
CORONA	Day	183	1%	0	0%	0	0%	155	1%	73	0%	242	1%	652	1%	183	1%	0	0%	0	0%	155	1%	85	0%	242	1%	664	1%	0	0%	0	0%	0	0%	0	0%	12	0%	0	0%	12	0%		
DESERT HOT SPRINGS	Day	3	0%	0	0%	0	0%	3	0%	5	0%	3	0%	15	0%	19	0%	0	0%	0	0%	18	0%	36	0%	19	0%	92	0%	16	0%	0	0%	0	0%	15	1%	31	0%	15	0%	77	0%		
EASTVALE	Day	67	0%	0	0%	0	0%	72	0%	48	0%	64	0%	249	0%	81	0%	1	0%	0	0%	72	0%	68	0%	70	0%	291	0%	15	0%	1	0%	0	0%	20	0%	6	0%	42	0%				
HEMET	Day	0	0%	15	2%	13	2%	16	0%	6	0%	12	0%	62	0%	0	0%	67	2%	75	2%	16	0%	89	0%	71	0%	318	0%	0	0%	52	2%	62	2%	0	0%	83	0%	58	0%	256	1%		
INDIAN WELLS	Day	1	0%	0	0%	0	0%	1	0%	2	0%	1	0%	6	0%	2	0%	0	0%	0	0%	2	0%	4	0%	2	0%	9	0%	0	0%	0	0%	0	0%	1	0%	1	0%	1	0%	3	0%		
INDIO	Day	7	0%	0	0%	0	0%	6	0%	13	0%	7	0%	33	0%	17	0%	0	0%	0	0%	18	0%	35	0%	19	0%	89	0%	11	0%	0	0%	0	0%	12	0%	22	0%	12	0%	56	0%		
JURUPA VALLEY	Day	274	2%	0	0%	0	0%	316	2%	290	1%	279	1%	1,159	1%	321	1%	0	0%	0	0%	316	1%	368	1%	294	1%	1,299	1%	47	1%	0	0%	0	0%	0	0%	77	0%	15	0%	140	0%		
LA QUINTA	Day	4	0%	0	0%	0	0%	4	0%	8	0%	5	0%	21	0%	8	0%	0	0%	0	0%	9	0%	17	0%	9	0%	44	0%	4	0%	0	0%	0	0%	5	0%	3	0%	5	0%	23	0%		
LAKE ELSINORE	Day	0	0%	24	3%	17	2%	187	1%	200	1%	215	1%	643	1%	244	1%	117	4%	36	3%	187	1%	507	1%	279	1%	1,429	1%	244	5%	93	4%	79	3%	0	0%	307	1%	64	1%	786	2%		
MENIFEE	Day	0	0%	76	3%	68	3%	0	0%	27	0%	63	0%	234	0%	0	0%	311	10%	313	3%	0	0%	308	1%	327	1%	1,259	1%	0	0%	235	10%	245	10%	0	0%	281	1%	264	2%	1,025	2%		
MORENO VALLEY	Day	4,347	0%	1	0%	0	0%	4,700	23%	4,429	20%	6,741	27%	20,218	23%	4,621	20%	134	4%	5	0%	5,214	22%	8,467	20%	3,803	27%	28,244	21%	274	6%	133	6%	5	0%	515	18%	4,037	19%	3,062	25%	8,026	18%		
MURRIETA	Day	0	0%	26	3%	22	3%	0	0%	10	0%	21	0%	73	0%	0	0%	101	3%	101	3%	0	0%	102	0%	108	0%	411	0%	0	0%	75	3%	79	3%	0	0%	92	0%	87	1%	332	1%		
NORCO	Day	42	0%	0	0%	0	0%	42	0%	3	0%	41	0%	128	0%	42	0%	0	0%	0	0%	42	0%	11	0%	41	0%	136	0%	0	0%	0	0%	0	0%	0	0%	9	0%	0	0%	9	0%		
PALM DESERT	Day	11	0%	0	0%	0	0%	9	0%	22	0%	12	0%	55	0%	15	0%	0	0%	0	0%	19	0%	33	0%	19	0%	86	0%	3	0%	0	0%	0	0%	9	0%	11	0%	7	0%	31	0%		
PALM SPRINGS	Day	10	0%	0	0%	0	0%	9	0%	21	0%	11	0%	51	0%	18	0%	0	0%	0	0%	22	0%	40	0%	22	0%	102	0%	8	0%	0	0%	13	0%	19	0%	11	0%	51	0%				
PERRIS	Day	1,335	0%	500	57%	475	65%	2,742	13%	849	4%	2,886	12%	3,387	11%	1,335	3%	859	27%	953	29%	2,742	12%	2,338	5%	3,639	10%	12,467	9%	0	0%	353	15%	478	19%	0	0%	1,489	7%	754	6%	3,080	7%		
RANCHO MIRAGE	Day	5	0%	0	0%	0	0%	4	0%	9	0%	5	0%	22	0%	7	0%	0	0%	0	0%	8	0%	15	0%	8	0%	38	0%	2	0%	0	0%	4	0%	4	0%	6	0%	4	0%	16	0%		
RIVERSIDE	Day	3,054	0%	0	0%	0	0%	3,650	18%	2,274	10%	3,214	13%	12,192	14%	3,655	16%	0	0%	34	1%	3,650	16%	3,611	8%	3,446	9%	14,397	11%	602	12%	0	0%	34	1%	0	0%	1,337	6%	232	2%	2,205	5%		
SAN JACINTO	Day	0	0%	1	0%	0	0%	40	0%	1	0%	0	0%	41	0%	0	0%	19	1%	18	1%	40	0%	29	0%	16	0%	123	0%	0	0%	18	1%	18	1%	0	0%	29	0%	16	0%	81	0%		
TEMECULA	Day	0	0%	20	2%	17	2%	0	0%	8	0%	17	0%	62	0%	0	0%	119	4%	124	4%	0	0%	131	0%	130	0%	503	0%	0	0%	99	4%	107	4%	0	0%	123	1%	113	1%	441	1%		
Unincorporated/Not a city	Day	4,400	25%	161	18%	80	11%	4,797	23%	10,444	48%	7,249	29%	27,132	31%	6,395	31%	1,309	41%	1,416	43%	6,390	27%	20,649	48%	13,846	38%	50,604	38%	2,595	52%	1,148	50%	1,335	52%	1,592	57%	10,205	49%	6,596	54%	8,888	57%		
WILDOMAR	Day	0	0%	8	1%	7	1%	11	0%	15	0%	18	0%	60	0%	0	0%	45	1%	44	1%	11	0%	41	0%	45	0%	186	0%	0	0%	36	2%	36	1%	0	0%	27	0%	27	0%	126	0%		
External	Day	3,325	19%	35	4%	29	4%	3,636	18%	2,326	13%	3,461	14%	13,412	16%	4,316	19%	104	3%	115	3%	4,089	18%	5,202	12%	4,134	11%	17,960	14%	391	20%	63	3%	86	3%	453	16%	2,276	11%	673	6%	4,547	10%		
Total	Day	17,736	100%	874	100%	732	100%	20,549	100%	21,898	100%	24,728	100%	86,517	100%	22,702	100%	3,192	100%	3,297	100%	23,331	100%	42,726	100%	36,921	100%	132,168	100%	4,966	100%	2,318	100%	2,565	100%	2,782	100%	20,827	100%	12,193	100%	45,651	100%		

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Please note that Mark Thomas & Company provided Fehr & Peers with direction about key cost estimate assumptions and how they should be allocated to each interchange component. For example, although the bridge components are a stand-alone cost estimate, the roadway and right-of-way information is not broken out by interchange component. Mark Thomas & Company identified that the ramp improvements are fairly comparable and should be split up proportionately (e.g. 25% to each ramp), but the right-of-way costs should be split only between the northbound ramps (50% to each ramp). The following costs were included into the fair share assessment (note, total component costs may not add up to total interchange costs due to rounding):

- Total interchange cost - \$68,300,000
 - Freeway Overcrossing Structure - \$16,414,000
 - Railroad Overcrossing Structure - \$12,403,000
 - Southbound Off-Ramp - \$9,601,000
 - Southbound On-Ramp - \$9,601,000
 - Northbound Off-Ramp - \$10,111,000
 - Northbound On-Ramp - \$10,111,000

These cost estimates were combined with the fair share estimates by agency to estimate the fair share attributable to each agency.

Conclusions

The results of the fair share assessment indicate that most of the traffic expected to be added to the Harley Knox interchange is not to/from the City of Perris – rather origins/destinations in unincorporated Riverside County, City of Moreno Valley, and locations that are external to the travel demand model. Specifically, the six largest contributions the model anticipated are:

1. Unincorporated Riverside County – 53%
2. Moreno Valley – 16%
3. Model Externalities (e.g. outside of the model area) – 9%
4. Perris – 6%
5. Riverside – 3%
6. Menifee – 3%

The top five nearby local agencies (Riverside County, Moreno Valley, Perris, Riverside, and Menifee) fair share contributions were applied to the cost estimates to estimate the total fair share contribution for each agency based on the traffic they add to the interchange. **Table 2** summarizes the estimated fair share estimates for the interchange as a whole (using the total interchange cost and the weighted average fair share estimates). **Table 3** summarizes the fair share estimates



Table 2 – Fair Share Estimates; Interchange as a Whole

Perris Fair Share	\$4,608,000
Riverside County Fair Share	\$35,118,000
Moreno Valley Fair Share	\$12,009,000
Menifee Fair Share	\$1,534,000
Riverside Fair Share	\$497,000
Total Interchange Cost	\$68,300,000

Source; Fehr & Peers, 2022

Note – Only the five agencies with the highest level of contribution are presented above. The remaining agencies contribute less than 2% of the total traffic to the interchange.

Table 3 – Fair Share Estimates; Contribution to Each Interchange Component

	Freeway Overcrossing	Railroad Overcrossing	Southbound Off-Ramp	Southbound On-Ramp	Northbound Off-Ramp	Northbound On-Ramp	Total Fair Share Cost
Perris	\$ 1,015,000	\$ 887,000	\$ -	\$ 1,488,000	\$ 1,885,000	\$ -	\$ 5,274,000
Riverside County	\$ 8,879,000	\$ 6,077,000	\$ 5,018,000	\$ 4,756,000	\$ 5,264,000	\$ 5,788,000	\$ 35,783,000
Moreno Valley	\$ 4,122,000	\$ 2,404,000	\$ 530,000	\$ 552,000	\$ 21,000	\$ 1,870,000	\$ 9,499,000
Menifee	\$ 117,000	\$ 55,000	\$ -	\$ 311,000	\$ 312,000	\$ -	\$ 794,000
Riverside	\$ 356,000	\$ 167,000	\$ -	\$ 971,000	\$ 966,000	\$ -	\$ 2,461,000

As shown above, although the interchange is within the City of Perris, most of the growth anticipated to be added to the interchange comes from other jurisdictions. As such, it appears appropriate to coordinate with nearby agencies to develop a funding approach that is inclusive in nature. Specifically, for nearby agencies who contribute traffic to the Harley Knox interchange, it would be appropriate for them to contribute to the interchange delivery.

Habib Motlagh
Grace Alvarez
September 9, 2022
Page 6 of 6



If you have any questions about the information presented above, please contact Jason Pack directly at 949.308.6312. We look forward to our continued work with the City of Perris on this improvement project.

Attachments:

Attachment A – Future Land Use Project Lists

Attachment B – Model Output Calculations

Attachment C – Interchange Cost Estimates



**DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE COMMAND**

October 21, 2022

Colonel Erik L. Aufderheide
Commander
452d Air Mobility Wing
2145 Graeber Street, Building 470
March ARB, CA 92518

Julia Descoteaux
Senior Planner
City of Moreno Valley
14177 Frederick Street, PO Box 88005
Moreno Valley, CA 92552

Dear Ms. Descoteaux:

This letter addresses the proposed development of an automobile parking lot for Heacock Logistics on 9.14 acres in the Moreno Valley Industrial Area Plan, Clear Zone District. I understand that the March Joint Powers Authority (MJPA) has also submitted a letter to you on this matter. I concur with the concerns raised by MJPA.

It is the policy of the United States Air Force (USAF) to engage with its community partners to foster compatible land use and to help local governments and communities better understand the nature of military operations and procedures in and around Air Force installations.

As the letter from MJPA notes, the proposed development is within a Clear Zone south of the March Air Reserve Base (ARB) runway. Due to the nature of military aviation operations, there is an increased risk of accidents within a Clear Zone, which justified the creation of a perpetual easement for the south Clear Zone in 1984. This easement granted the United States of America the right to prohibit all land uses except: agriculture; grazing; permanent open space; existing water areas; rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and communications and utilities rights-of-way. The easement also granted the United States of America the right to prohibit entry of persons onto the land except in connection with the above-listed activities.

While March ARB is committed to the highest standards of operational excellence, the inherent risks associated with military aviation operations are as compelling today as they were in 1984. I therefore oppose development of the proposed Heacock Logistics parking lot within the south Clear Zone. This development would present serious safety concerns due to the persistent presence of vehicles parked for extended periods of time, as well as the presence of pedestrians in the parking lot. I also am concerned about the possibility of a wide variety of electromagnetic spectrum interference that could come from personal devices and stationary vehicles in the parking lot.

March ARB remains dedicated to maintaining positive and effective relationships with community partners for the benefit of Moreno Valley, Riverside County, and all of Southern California. I thank you for the opportunity to provide input regarding this project.

Should you have any questions or would like to discuss this issue further, please feel free to contact the March ARB Civil Engineer, Mr. David Shaw, at 951-655-4851.


 ERIK L. AUFDERHEIDE, Colonel, USAF
 Commander, 452d Air Mobility Wing

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

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California State Senate

SENATOR
RICHARD D. ROTH
THIRTY-FIRST DISTRICT



COMMITTEES
BUSINESS, PROFESSIONS AND
ECONOMIC DEVELOPMENT
CHAIR
HEALTH
INSURANCE
MILITARY AND VETERANS
AFFAIRS

October 24, 2022

The Honorable Yxstian Gutierrez
Mayor, City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

RE: Letter of Concern: Proposed Automobile Parking Lot adjacent to March Air Reserve Base

Dear Mayor Gutierrez,

I am writing to express my serious concern regarding the proposal to approve the development of an automobile parking lot adjacent to the south end of the runway at March Air Reserve Base (MARB), encroaching on the Base's Clear Zone easement. I certainly respect and recognize the ability of municipalities to improve sites within their respective jurisdictions. However, the proposed project lies within the south Clear Zone of the base and presents a heightened risk of injuries or fatalities to those who park or congregate in the proposed area.

The Air Installations Compatible Use Zone (AICUZ) program was established by the Department of Defense in order to promote health and safety in and around local airports and to protect the operational capabilities of the air installation. The March Joint Powers Authority (MJPA), in its October 12, 2022 letter to Moreno Valley Senior Planner Julia Descoteaux, noted that the proposed project does not comply with the provisions of the deed for the Clear Zone easement. In that regard, it is my understanding that the easement held by the Department of Defense restricts all activities except agriculture, grazing, permanent open space, existing water rights, and communications and utility rights-of-way. I concur with the MJPA's observation that the proposed automobile parking lot appears to violate the Clear Zone easement; and that, if approved, the project presents a clear and present danger to military and civilian air operations at March.

For decades, local organizations such as the Moreno Valley Chamber of Commerce and the Greater Riverside Chambers of Commerce, and others have fought to protect the base from encroachment. My primary concern is that this project will negatively impact not only current operations, but the future bed down of the new KC-46A tanker and the long term viability of the Base. Accordingly, I respectfully request that approval for this proposed project as currently sited, be withheld and that an alternative proposal be developed to mitigate the negative impacts noted above.

Thank you for your consideration. I welcome the opportunity to discuss this project with you at your convenience. Please feel free to contact me at 951-680-6750.

Sincerely,

RICHARD D. ROTH
Senator, 31st District

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



October 25, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley Community Development
14177 Frederick Street
Moreno Valley CA 92553

CHAIR
Steve Manos
Lake Elsinore

VICE CHAIR
Russell Betts
Desert Hot Springs

COMMISSIONERS

John Lyon
Riverside

Steven Stewart
Palm Springs

Richard Stewart
Moreno Valley

Michael Geller
Riverside

Vernon Poole
Murrieta

STAFF

Director
Paul Rull

Simon Housman
Jackie Vega
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

RE: Concerns regarding the safety of people as raised by PEN21-0102 Automobile Parking Lot on Heacock Street

To Ms. Descoteaux,

On behalf of the Riverside County Airport Land Use Commission (the ALUC), I would like to submit this letter of concern regarding PEN21-0102 Automobile Parking Lot on Heacock Street (the project).

The ALUC's goal is defined in the Public Utilities Code (PUC) Section 21670(a) declaring that:

"(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around the public airports to the extent that these areas are not already devoted to incompatible uses."

The ALUC recognizes the City of Moreno Valley's (the City) authority and obligation to review non-legislative projects for airport land use compatibility in accordance with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP), to which the City's General Plan was found consistent in 2021. Therefore, as the lead jurisdiction performing the airport land use compatibility review for the project, the City should also be consistent with not just the March ALUCP, but the intent and spirit of the PUC goals to protect the public health, safety, and welfare from inconsistent and incompatible land uses. As instructed by PUC Section 21674.7, "[i]t is the intent of the Legislature to discourage incompatible land uses near existing airports... It is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675."

Land Use Planning around military airports such as March Air Reserve Base/Inland Port raises unique and complex rules and issues. The purpose of this letter is to assist the City in that analysis by identifying some of those issues, rules and how they apply to this project.

The ALUC has concerns that the project will have significant impacts to the public health and safety based on its use as a parking lot and its location within the Compatibility Zone A (Clear

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

Zone) as identified in the March ALUCP, as well as identified as the Clear Zone in the 2018 Air Force Air Installation Compatible Use Study (AICUZ), which is defined as the:

“square area beyond the end of the runway and centered on the runway centerline extending outward for 3,000 feet... a Clear Zone is required for all active runways and should remain undeveloped.”

The Clear Zone is a long recognized critical area located at the end of the runway where vital aviation maneuvers occur for take-off and landing. The 2005 AICUZ study provides aircraft data (1968-1995) identifying that 27.4% of all aircraft accidents occur within the Clear Zone. The proposal to establish a parking lot in the Clear Zone puts people on the ground and in the aircraft at risk needlessly, especially when the parking lot could be relocated to a more appropriate airport zone further away from the runway and out of the Clear Zone.

The March ALUCP Compatibility Zone Factors Table MA-1 (Noise and Overflight Factors/Safety and Airspace Protection Factors) identifies the Clear Zone as a “Very High” Risk Level, and a “Very High” Noise Impact due to the high CNEL noise contour range between 65 – 75 dB and single-event noise levels.

The fundamental purpose of the March ALUCP is to promote appropriate land use compatibility around March Air Reserve Base by protecting public health, safety, and welfare. This is largely implemented by Table MA-2 Basic Compatibility criteria in the plan.

Table MA-2 provides the land use compatibility criteria for the Clear Zone which includes non-residential intensity, prohibited uses, and required open land.

Firstly, the non-residential intensity criteria for the Clear Zone is ZERO (0) people for both average and single acre intensity. Although the project will generate a very low occupancy based on the persons in each vehicle entering the site, any persons entering the site would immediately result in exceeding the non-residential average and single acre intensity criteria of ZERO (0) people.

Secondly, Table MA-2 provides a list of prohibited uses for the Clear Zone, which includes: all non-aeronautical structures, assemblages of people, objects exceeding FAR Part 77 height limits, all storage of hazardous materials, and hazards to flight.

1. The ALUCP analysis shows that the proposed parking lot land use, structures and vehicles within it, are considered non-aeronautical structures and would therefore be a prohibited use, because they do not serve any aeronautical functions to the March Air Reserve Base or Inland Port Airport.
2. Similar to the comment raised above regarding intensity, any occupancy on the site would constitute “assemblages of people” and therefore would be a prohibited use.
3. Part 77 is the FAA OES process to determine if a project would impact air navigation. The elevation of runway 14-32 at its southerly terminus is 1,488 feet above mean sea level (AMSL). At a distance of approximately 1,000 feet from the project to the nearest point on the runway, Federal Aviation Administration (FAA) Part 77 notification threshold would be 1,498 feet AMSL. The site elevation is 1,473 feet AMSL. Therefore, any objects greater than 25 feet in height would be exceed the FAA threshold and would be considered a prohibited use. These objects could include buildings, structures, landscaping, and in the project ‘s case, any tall vehicles or trailers that would exceed 25 feet in height.

4. There is a concern that vehicles, truck trailers, and shipping containers in the parking lot could contain hazardous materials. A definition of hazardous materials is provided in Table MA-2 footnote 14 (in the context of Accident Potential Zones) as toxic, explosive, corrosive. In the event an aircraft was to crash into a container that was storing hazardous materials, the resulting collision/explosion would be magnified due to the hazardous materials, which would further jeopardize the lives of the people on the ground and in the aircraft.
5. Hazards to flight is a prohibited use in the Clear Zone and is defined in Footnote #8 of Table MA-2 as: "Hazards to flight include physical (e.g. tall objects), visual, and electronic forms of interference with the safety of aircraft operations". The proposed parking lot may contain structures and vehicles, truck trailers, and cargo containers that could potentially interfere with the safety of aircraft operations.

Lastly, Table MA-2 identifies that in the Clear Zone, the required open land is "All Remaining", which would consist of the entire site. The purpose of the ALUC open land is that in the event an aircraft is forced to make an emergency landing, the risks to the people on board can be best minimized by providing as much open land area as possible.

In 2021, the City's General Plan '2040' and Zoning Code Amendments (PEN19-0240, PEN21-0030) were found consistent with the March ALUCP by the ALUC via ZAP1465MA21. These regulatory documents contained language requiring consistency with the March ALUCP and the Air Force Instruction (AFI) 32-7063, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57.

As part of this consistency finding by ALUC, a special recommendation was also made:

1. Add to the Circulation Element a discussion identifying Heacock Street's location within Zone A (Clear Zone) and the challenges that it presents with regards to satisfying Clear Zone criteria set forth in the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, the 2018 Air Installation Compatible Use Zone study, and the Department of Defense Instruction No. 4165.57. The following policy shall be added to the Circulation Element to ensure consistency with these plans: "C.2-13. The City will coordinate with the March Air Reserve Base and Airport Land Use Commission staff to ensure that Heacock Street within the Clear Zone is consistent with future land use plans adopted by the March Air Reserve Base and/or the Airport Land Use Commission".

The incorporation of this recommendation highlights the significant challenges concerning Heacock Street and the larger issues associated with the Clear Zone criteria. Furthermore, it also underlines the City's commitment in satisfying the various issues within the Clear Zone as it relates to the March ALUCP, and to the Air Force AFI 32-7063 and DoDI No. 4165.57. Lastly, it emphasizes the City's cooperation and coordination with the March Air Reserve Base and ALUC staff to ensure consistency of Heacock Street and the Clear Zone with land use compatibility plans adopted by ALUC and by the March Air Reserve Base.

A big reason as to why the City's General Plan was found consistent with the March ALUCP was because it included several goals and policies from the Land Use and Safety Elements which promoted appropriate land use development around March Air Reserve Base in order to protect the public health, welfare and safety.

Land Use Element:

Policy LCC.1-11. "Require new development be compatible with the standards for land

uses, density and intensity specified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan”.

Safety Element:

Goal S-4. “Minimize airport safety hazards and promote compatibility with airport operations”.

Policy S.4.1. “Limit hazards from flight operations in Moreno Valley through consistency with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan”.

Policy S.4-2. “Review all projects within the March Air Reserve Base/Inland Port Airport Influence Area for conformance with the compatibility criteria outlined in the March ALUC Plan”.

Policy S.4-3. “Minimize the potential for development adjacent to the March Air Reserve Base/Inland Port Airport to adversely affect airport operations such as by reducing the potential for bird strikes, electromagnetic interference, and glare” (as proposed in the City’s errata change list).

The ALUC contends that the proposed parking lot is not consistent with these airport land use compatibility goals and policies specified in the City’s General Plan as it would actively put people on the ground and in aircraft at harms risk in the Clear Zone where, as already stated above, 27.4% of all aircraft accidents occur.

In addition to the General Plan ‘2040’ documents, the City also included Zoning Code Amendments as part of its consistency finding. These documents also included language requiring consistency with the March ALUCP and the Air Force Instruction AFI 32-7063 and DoDI No. 4165.57.

1. Section 9.07.060 relates to Airport Land Use Compatibility Plan and directly references the March ALUCP and Table MA-2 criteria. It also provides the intent of the section as; “The purpose of this chapter is to establish and implement the requirements of the Riverside County Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport that affects land uses within the City of Moreno Valley and to encourage future development that is compatible with the continued operation of the March Air Reserve Base. It is also the intent of this section to recognize and implement the purpose for the guidelines contained in the March Air Reserve Base air installation compatible use zone report”.

Sub-section D states “For property located within a compatibility zone and subject to the airport land use compatibility plan policies and criteria, the ALUCP may be more restrictive than what would otherwise be allowed per City zoning designation applicable to the property. In addition to complying with the zoning requirements of this title, proposed uses and development on property within an airport compatibility zone must be determined to be consistent with, and comply with the compatibility criteria of the applicable compatibility zone and airport land use compatibility plan”.

Specifically, Section 9.07.060.B states “The provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zones and the ALUCP, the ALUCP shall take precedence”. This language provides an additional layer of conformance with the March ALUCP.

In addition, Section 9.07.060.B required “development within the Accident Potential

Zones (APZ's) be consistent with the Air Force Instruction 32-7063, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI) No. 4165.57. More specifically, future development within the APZs shall be consistent with the DoDI acceptable/not acceptable land use tables, as well as its intensity criteria, which limits intensity to a maximum of 25 people in any given acre in APZ-I and to a maximum of 50 people in any given acre in APZ-II".

It is the opinion of the ALUC that the proposed parking lot in the Clear Zone is inconsistent with the purpose and intent of these Zoning Code Amendments. The proposed parking lot is not an example of "encourage future development that is compatible with the continued operation of the March Air Reserve Base", actually, quite the opposite, as the proposed parking lot in the Clear Zone would have to be identified as 'encroachment' by the March Air Reserve Base, jeopardizing its future operations and existence.

The ALUC also contends that the Zoning Code Amendments establishes protocol in the event of multiple planning and airport zones are present, and that the correct protocol is "the provisions of the ALUCP shall apply in addition to the provisions of the underlying district. If there are inconsistencies between the underlying zones and the ALUCP, the ALUCP shall take precedence". In the case of the proposed parking lot, the March ALUCP must take precedence over underlying planning zones in the event there are inconsistencies between the two in order to satisfy the goal and policies of protecting the public health, welfare, and safety.

The Zoning Code Amendments also contain language referencing conformity to the Air Force AFI 32-7063 and DoDI No. 4165.57 in Section 9.07.060.B (mentioned above), and Sub-section I.5 which states: "For discretionary actions proposed within the March ARB/IPA Accident Potential Zones (APZ-I and APZ-II) or within the Clear Zone, the proposed use and/or development shall, in addition to meeting the compatibility criteria of the March ALUCP, be consistent with current Air Force Guidance...".

The ALUC also recognizes the Air Force's jurisdiction in the Clear Zone, as set forth in the Air Force AFI 32-7063 and DoDI No. 4165.57, as well as the latest 2018 AICUZ. Table A-1 Appendix A of the 2018 AICUZ provides Land Use Compatibility Tables, which provides land use compatibility guidelines within the Clear Zones and Accident Potential Zones I and II (APZs). More specifically, it references under SLUCM (Standard Land Use Coding Manual) recommendation No. 46: Automobile Parking, is identified as a "NO" land use designation in the Clear Zone. The ALUC concurs with the Air Force 2018 AICUZ land use table, and that the placing of the proposed parking lot in the Clear Zone is not just inconsistent with the 2018 AICUZ and March ALUCP, but also a public health and safety risk.

Airport Land Use analysis also includes considering airport related restrictions on the title to the subject property. Riverside County Official Document recorded September 27, 1984, Record Document Number 209559, is a Clear Zone Easement that encumbers the property which was purchased by the United States of America for the sum of \$77,090.00, from Jennie Iparagurrie. The document identifies the easement as "being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project."

The document details rights granted in the easement, including but not limited to, Number 9 which states:

"The right to prohibit all land uses other than the following: a. agriculture; b. grazing (excluding feed lots and dairy herds); c. permanent open space; d. existing water areas; e. rights-of-ways for fenced two-land highways, without sidewalks or bicycle trails, and single tract railroads; and f. communications and utilities rights-of-ways".

The restrictive easement on the property in the Clear Zone, and its “right to prohibit all land uses” other than those specifically above, omits and prohibits parking lots use in the Clear Zone. The itemized list of permitted uses illustrates a well-defined picture of what is appropriate on this land in the Clear Zone. The proposed parking lot is clearly inconsistent with these parameters.

The ALUC presents these concerns to the City for its consideration while reviewing this parking lot in the Clear Zone. The role of the ALUC and the March ALUCP is to ensure that appropriate and compatible land uses are planned around the March Air Reserve Base in order to protect the public health, welfare, and safety. Incompatible land uses encroaching onto the Base must be avoided for that purpose and in order to secure the Base’s financial, military, and operational support to the community for the future. In adopting its General Plan 2040 and the current Zoning Ordinance the City of Moreno Valley has committed to apply and enforce these policies.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Paul Rull, ALUC Director

- cc: Mike Lee, City Manager, City of Moreno Valley
- Steve Manos, Chair, Airport Land Use Commission
- Gary Gosliga, Airport Manager, March Inland Port Airport Authority
- Major David Shaw, Base Civil Engineer, March Air Reserve Base
- Michael Smith, Aviation Safety Officer, CALTRANS Division of Aeronautics
- Dan Fairbanks, Planning Director, March Joint Powers Authority

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



GREATER RIVERSIDE CHAMBERS OF COMMERCE

The Chamber...building a stronger local economy

October 25, 2022

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St
Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin:

On behalf of the Greater Riverside Chambers of Commerce and its Military Affairs Council, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are concerned that the project has not been reviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in March Air Reserve Base (MARB). There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of March Air Reserve Base.

In preservation of MARB and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your consideration to oppose the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact the Chamber at 951-683-7100.

Respectfully,

Jamil Dada

Committee Chair of Military Affairs Council GRCC

cc: Members, City of Moreno Valley Planning Commission

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



October 26, 2022

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

Subject: Planning Commission Public Hearing #1 – Plot Plan (PEN21-0102) for an automobile parking lot on 9.14 acres in the Moreno Valley Industrial Area Specific Plan, Clear Zone District (Specific Plan 208)

Dear Ms. Descoteaux,

I am writing to you on behalf of the City of Norco to express the City’s opposition to Planning Commission Public Hearing #1 regarding PEN21-0102.

This is an issue of regional concern, as it relates to the future of March Air Reserve Base. As a city that benefits from the economic stimulus of a military base, the City of Norco recognizes that March Air Reserve Base is a significant economic driver for the region. While this is in some ways distant from Norco in miles, it is not distant in terms of economic impact.

The proposed development could jeopardize the future of March Air Reserve Base. The proposed development is inconsistent with the Land Use Compatibility Plan and may interfere with runway use, which in turn could harm projects and initiatives of regional significance, including the sizeable investment in new aerial refueling aircraft that will operate out of the Base.

This region has a considerable stake in the continued operation and success of March Air Reserve Base, therefore the City of Norco urges the Moreno Valley Planning Commission to oppose this proposed development.

Thank you for considering our comments. Please contact me if you have any questions or would like to discuss the above concern in further detail.

Sincerely,

Lori Sassoon
City Manager

Cc: Mike Lee, City Manager

CITY COUNCIL

GREG NEWTON
Mayor

ROBIN GRUNDMEYER
Mayor Pro Tem

KATHERINE ALEMAN
Council Member

KEVIN BASH
Council Member

TED HOFFMAN
Council Member

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

MARCH JOINT POWERS AUTHORITY

October 27, 2022

Julia Descoteaux
Senior Planner
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552

SUBJECT: PROJECT COMMENTS REGARDING THE HEACOCK LOGISTICS PARKING LOT

Dear Ms. Descoteaux:

The March Joint Powers Authority (March JPA) and the March Inland Port Airport Authority (MIPAA) are owners and operators of more than 300-acres of commercial airport properties at March Air Reserve Base (MARB). March JPA's airport operations rely heavily on the use of flying facilities at the Base under a Joint Use Agreement with the United States Air Force, and we oppose any development proposed within MARB's Clear Zone. Please accept this letter in opposition to the proposed Heacock Logistics Parking Lot project.

We have reviewed the project staff report, findings, proposed resolutions and California Environmental Quality Act (CEQA) Initial Study pertaining to the Heacock Logistics Parking Lot. We find that the staff report, environmental analysis and project findings inadequately analyze the proposed use because: 1) these documents fail to address the existing land use limitations established through a recorded federal easement across the project site; 2) these documents fail to address accident potential and safety concerns; and 3) these documents fail to consider Air Installation Accident Potential Zone (AICUZ) recommendations, as listed below:

A RECORDED CLEAR ZONE EASEMENT PROHIBITS THE PARKING LOT

Both the Initial Study and Planning Commission staff report fail to disclose the most significant issue, which is the "DEED FOR CLEAR ZONE EASEMENT". Through acquisition of a restrictive easement on this site, the United States purchased development rights on the property. The easement across the property specifically identifies that the United States acquired an interest in this property to prohibit all land uses except: a) agriculture; 2) grazing; c) permanent open space; d) existing water areas; e) rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and f) communication and utilities rights-of-way.

Please update the project analysis to address impacts to MARB and March JPA airport operations as it pertains to the disregard of a recorded federal clear zone easement across the property.

October 27, 2022
Julia Descoteaux

THE SITE IS WITHIN AN AREA OF HIGH AVIATION ACCIDENT POTENTIAL

The site is located within the Clear Zone, which is an area with a higher statistical rate of aviation accidents. Both the Initial Study and Planning Commission staff report fail to disclose the safety concerns related to the proposed development within the Clear Zone. The staff report and initial study should identify that the 2005 March ARB AICUZ identifies military accident data, from 1968 – 1995, involving 838 aviation accidents, and that 27.4% of those aviation accidents occur within the Clear Zone.

Aircraft accidents at March ARB are extremely infrequent, but when they do occur, there is a catastrophic potential, in part due to the operation of larger aircraft and refueling aircraft that carry as much as 83,000 pounds of aviation fuel. Modern jet-powered (since WWII) aviation accidents have occurred on approach from the south, including a 1978 B-52 accident resulting in the death of the flight crew and a 1988 Lear jet accident which landed short of the runway, resulting in the death of both crew members.

Please update the project analysis to address impacts to life and safety as it pertains to a high aviation accident potential site.

THE AICUZ LAND USE GUIDANCE DOES NOT SUPPORT PARKING LOTS

The 2018 AICUZ provides land use guidance identifying the proposed parking lot is an inappropriate use. Specifically, the 2018 AICUZ Land Use Compatibility Table (Appendix A) identifies that standard land use coding manual (SLUCM) use 46 (Auto Parking) is not a recommended use within the Clear Zone. To be more specific, the AICUZ identifies that the only recommended uses in the Clear Zone are highways and street right-of-way, agriculture, fishing activities and undeveloped land, all of which are precisely consistent with the restrictive easement purchased by the United States of America.

Please update the project analysis to address land use impacts as it pertains to the federally issued AICUZ.

VISUAL AND AESTHETIC IMPACTS:

As with other facilities that accommodate trailer storage for the logistics industry along Heacock Street, please provide a 12-foot-high masonry screen wall to screen views of trailers from adjacent roadways.

Please update the project analysis to address aesthetics issues to the site.

TRANSPORTATION IMPACTS ALONG HEACOCK STREET:

The discussion regarding improvement of Heacock Street as a through street from San Michele Road to Harley Knox Boulevard has been ongoing for many years. In general, representatives of March ARB have supported alternative circulation methods which do not include this connection. March JPA respectfully requests that further discussions occur on this matter between March ARB officials and city staff.

October 27, 2022
Julia Descoteaux

Three significant issues of concern are presented regarding the inadequacy of the proposed project analysis as well as risks to life safety through the disregard of a federal easement across the project site. We respectfully request that the Planning Commission either deny the project or continue the item until the applicant presents a more reasonable project design that is coordinated with MARB and eliminates safety impacts to the public and the airport.

Sincerely,



Dan Fairbanks

March JPA Planning Director

cc: Major David N. Shaw, 452 Base Civil Engineer
Paul Rull, Director, Riverside County Airport Land Use Commission
Sean Kelleher, Moreno Valley Planning Director

Attach: Riverside County Recorded document #209559

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

449370 ✓K
209559

When Recorded Return To:
Commander
Los Angeles District, Corps of Engineers
P.O. Box 2711
Los Angeles, California 90053
ATTN: Closing Officer (213-688-4530)

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
At Request of
TICOR TITLE INSURANCE CO.
Book 1984, Page 209559
SEP 27 1984
Recorded in Official Records
of Riverside County, California
Walter J. Pomeroy
Recorder
Fees \$ 8

DEED FOR CLEAR ZONE EASEMENT

(This deed does not convey fee title. This is a deed to a tax exempt public agency -- thus documentary stamps are not required.)

In consideration of the sum of SEVENTY-SEVEN THOUSAND AND NINETY AND NO/100 DOLLARS (\$77,090.00) the receipt and sufficiency of which is hereby acknowledged, JENNIE IPARACURRIE

hereby grants to the United States of America and its assigns a clear zone easement as described in exhibit "A," over the land described in exhibit "B," said exhibits being attached hereto and made a part hereof.

Said easement is being acquired for the use of the Air Force in connection with the March Air Force Base AICUZ project, Riverside County, California, and is designated as Tract No. 1203-E in the records of the U.S. Army Engineer District, 300 North Los Angeles Street, Los Angeles, California 90012.

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

This conveyance is made subject to existing easements for public highways, public roads, public utilities, railroads, pipelines, covenants, conditions and restrictions of record, and to any water rights, claims or title to water on or under said land.

Executed this 23 day of AUGUST, 1984.

Jennie Iparaguirre
JENNIE IPARAGUIRRE

Dated: August 23, 1984

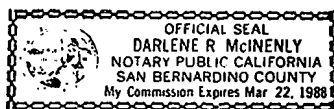
STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO } ss.

On AUGUST 23, 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIE IPARAGUIRRE

personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that SHE executed the same.
WITNESS my hand and official seal.

Signature Darlene R. McInenly

(This space for Official Notarial Seal)



Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

March Air Force Base, CA
 Tract No. 1203-E
 Expanded Clear Zone

209559

RESTRICTIVE EASEMENT

A perpetual and assignable easement is hereby created in the United States of America, hereinafter called the Government, for the establishment, maintenance and operation of a restrictive use area for the operation of aircraft to and from the air installation currently known as March Air Force Base, hereinafter called the Base, consisting of the following rights in the land described in Exhibit "A" for the following purposes:

1. The right to make low and frequent flights over said land to generate noises associated with:
 - a. aircraft in flight, whether or not while directly over said land;
 - b. aircraft and aircraft engines operating on the ground at said Base;
 and
 - c. aircraft engine test-stand operations at said Base.
2. The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, steam, dust and smoke.
3. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.
4. The right to prohibit electrical emissions which would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.
5. The right to prohibit and remove any buildings or other non-frangible structures.
6. The right to top, cut to ground level, and to remove trees, shrubs, brush or other forms of obstruction which the officer having command of the Base determines might interfere with the operation of aircraft, including emergency landings.
7. The right of ingress and egress upon, over and across said land for the purpose of exercising the rights set forth herein.
8. The right to post signs on said land indicating the nature and extent of the United States' control over said land.
9. The right to prohibit all land uses other than the following:
 - a. agriculture;
 - b. grazing (excluding feed lots and dairy herds);

EXHIBIT A

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

March Air Force Base, CA
Tract No. 1203-E
Expanded Clear Zone

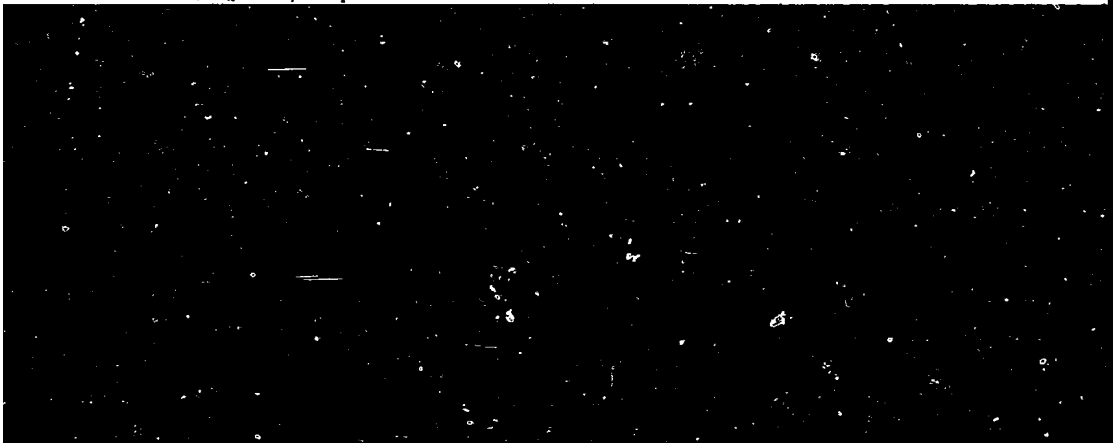
RESTRICTIVE EASEMENT (cont'd)

- c. permanent open space;
- d. existing water areas;
- e. rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single tract railroads; and
- f. communications and utilities rights-of-way.

10. The right to prohibit entry of persons onto the land except in connection with activities authorized under a., b., e., and f. above.

Subject, however, to existing easements for public roads and highways, public utilities, railroad, and pipelines, reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easements hereby acquired.

For the consideration recited above, the Grantor agrees to abide by the following covenant which shall run with the land: That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantor for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, and the Grantor expressly releases and relinquishes any and all claims against any of the aforesaid for further or future payment of consideration for the aforesaid easement and rights granted herein.



Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

209559

DATE: 5 July 1983
TRACT: 1203-E-1
OWNER: Jennie Iparagurrie
ACREAGE: 9.72
PROJECT: March Air Force Base (AICUZ)
LOCATION: Riverside County, California
FILE: 281-T-1203-E-1

A parcel of land situate in the County of Riverside, State of California, being that portion in the West one-half of Lot 29 in Block 1 of Riverside Alfalfa Acres, as shown on map recorded in Book 8, page 21 of Maps, in the office of the Recorder of said County, and being that portion of the Southwest one-quarter of Section 31, Township 3 South, Range 3 West, San Bernardino Meridian, described as follows, basis of bearings being California Coordinate System, Zone 6, (Chap. 1307, Statues of 1947):

Commencing at the Southwest corner of said Section 31, and the centerline intersection of Heacock Street and Oleander Avenue; thence leaving said Oleander Avenue North 01° 15' 51" East along the centerline of said Heacock Street a distance of 90 feet to the TRUE POINT OF BEGINNING; thence continuing North 01° 15' 51" East a distance of 576.50 feet to the North line of said Lot 29; thence South 89° 31' 20" East along last said lot line a distance of 693.92 feet; thence South 0° 15' 48" East a distance of 596.54 feet; thence North 89° 31' 34" West a distance of 731.99 feet to the TRUE POINT OF BEGINNING.

Containing 9.72 acres, more or less, including 0.397 acre lying within Heacock Street.

EXCEPTING any portion lying within the Riverside Flood Control 90 foot strip which includes the South 70 feet of said Lot 28.

ALSO EXCEPTING the West 10 feet of said Lot 28.

Written by: EP
Checked by: CU

FILE NO: 281-T-1203-E-1

EXHIBIT B

Attachment: Comments Received (61119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

KEN CALVERT
42ND DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
2205 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0542
(202) 225-1986
FAX: (202) 225-2004

DISTRICT OFFICE:
400 SOUTH VICENTIA AVENUE
SUITE 125
CORONA, CA 92882
(951) 277-0042
FAX: (951) 277-0420



UNITED STATES
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

RANKING REPUBLICAN
DEFENSE

ENERGY AND WATER DEVELOPMENT

WWW.CALVERT.HOUSE.GOV
FACEBOOK.COM/REPKENCALVERT
@KENCALVERT

Dear Mayor Gutierrez,

I am writing to express my serious concern regarding the proposal to approve the development of an automobile parking lot adjacent to the south end of the runway at March Air Reserve Base (MARB). I am concerned the Airport Land Use Commission has not yet reviewed the project to determine the potential threat to operations at MARB and provide comments. There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study which that promotes collaborative planning, sustains the mission, and minimizes impact to MARB.

In that regard, it is my understanding that the easement held by the Department of Defense restricts all activities except agriculture, grazing, permanent open space, existing water rights, and communications and utility rights-of-way. I concur with the March Joint Powers Authority's assessment that the proposed automobile parking lot appears to violate the Clear Zone easement; and that, if approved, the project presents a clear and present danger to military and civilian air operations at MARB.

For decades, I have fought to protect the Base from encroachment and ensure mission success. My primary concern is that this project will negatively impact not only current operations, but the future mission of the new KC-46A tanker and the long-term viability of the Base. Accordingly, I respectfully request that you hold approval for this proposed project as currently sited, and that an alternative proposal be developed to mitigate the negative impacts noted above.

Thank you for your consideration. I welcome the opportunity to discuss this project with you at your convenience.

Sincerely,

KEN CALVERT
Member of Congress

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



EXECUTIVE OFFICE

JEFFREY A. VAN WAGENEN, JR.
COUNTY EXECUTIVE OFFICER

JUAN C. PEREZ
CHIEF OPERATING OFFICER

DAVE ROGERS
CHIEF ADMINISTRATIVE OFFICER

SAYORI BALDWIN, ASSISTANT CEO
HUMAN SERVICES

BRENDA DIEDERICH, ASSISTANT CEO
SPECIAL PROJECTS

CHARISSA LEACH, ASSISTANT CEO
PUBLIC WORKS & COMMUNITY SERVICES

ZAREH SARRAFIAN, ASSISTANT CEO
HEALTH SYSTEM

October 28, 2022

Julia Descoteaux, Senior Planner
City of Moreno Valley Community Development
14177 Frederick Street
Moreno Valley, CA 92553
Via Email to juliad@moval.org and USPS Mail

RE: Plot Plan (PEN21-0102) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan, Clear Zone District (Specific Plan 208).

Ms. Descoteaux:

We are providing this letter to state the County of Riverside's concerns, and opposition to, the proposed Plot Plan (PEN21-0102) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan, Clear Zone District (Specific Plan 208). It is our understanding that this item was continued to the Planning Commission meeting on December 22, 2022 to allow the applicant to meet with representatives from March Air Reserve Base (MARB) and staff from the March Joint Powers Authority (JPA).

The County shares the concerns outlined by the Riverside County Airport Land Use Commission (ALUC) in a letter dated October 24, 2022. The ALUC letter identifies impacts to public health, safety, and welfare within the "Clear Zone" (Zone A) as defined in the 2014 March Air Reserve Base/Inland Port Airport Land Use Plan (March ALUCP) and the U.S. Air Force 2018 Air Installation Compatibility Use Zone Study (AICUZ). The ALUC letter specifies why this use is inconsistent with the March ALUCP and the ALUC role of protecting the public health & safety and aircraft operations.

This parking lot use in the Clear Zone will be detrimental to the national defense operations at the March ARB. Parking lots are prohibited in the Clear Zone by U.S. Department of Defense Instruction (DoDI) No. 4165.57.

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)

The County has been working in partnership with the City and our other partner jurisdictions on the March Joint Powers Authority to prioritize protection of MARB as the highest priority due to its importance to our national defense and regional economic well-being. Studies done in 2014 estimated that MARB had an annual economic impact on the region of \$579M, which is much higher today. Given the Base's critical importance, the March JPA partner agencies have together embarked on the March Compatible Use Study to determine future measures needed to be considered for long-term base protection.

We appreciate the actions taken by the City to continue the hearing on this case to December in order to allow meaningful conversation between the City, applicant, and the MARB and MJPA. It is imperative that this matter be resolved in a way that protects the operations of MARB and is in the interest of its long-term protection, for the good of our entire region.

Sincerely,



Juan C. Perez
Chief Operating Officer
County of Riverside

CC: Supervisor Jeff Hewitt, Chairman, District 5
Supervisor Kevin Jeffries, District 1
Jeff Van Wagenen, Chief Executive Officer
Tina Grande, Principal Policy Analyst

November 11, 2022

Julia Descoteaux, Senior Planner
 City of Moreno Valley Community Development
 14177 Frederick Street
 Moreno Valley, CA 92533
 Via Email to juliad@moval.org

RE: Plot Plan PEN21-0102 (the “Proposed Plan”) for an automobile parking lot on 9.4 acres in Moreno Valley Industrial Ave Plan

Ms. Descoteaux:

I am providing this letter in support of the Proposed Plan for an automobile parking lot on 9.4 acres in Moreno Valley.

- A. I have conducted an analysis of all of the properties located in the Clear Zone District that applies to the subject property. I have identified thirty-three (33) properties total of which twenty-three (23) properties are privately owned and the remaining are government owned.

SUMMARY OF PROPERTY FINDINGS (all located in the Clear Zone):

There are a total of seven properties (6-privately owned & 1-government owned) which have significant commercial, industrial and residential development ranging from a double wide trailer, SFR, barn, structures, truck/auto parking lots, trailer parking, storage yard, scrap yard, fencing and more.

1. Two of seven properties have no recorded avigation easements.
2. Four of the five remaining parcels are subject to the same or similar clear zone easement as the subject property.
 - a. One of the properties (APN 294-220-013) subject to the clear zone easement, has an additional Avigation Easement and Release from owner (Grantor) and accepted by MARB—on behalf of the March Inland Port Airport Authority, and City of Perris (Grantees) in order to authorize the owner’s development on the property.
3. Notably one parcel (APN 316-211-014) owned by U.S.A. includes residential development including a double wide trailer, barn, house and parking lot.

Some of the parties objecting to the Proposed Plan, including MARB, USAF, Riverside County/ALUC, and others, have stated that parking lots are prohibited in the clear zone. Based on these findings parking lots, and many other uses, including residential, parking, structures, commercial and industrial activities, are allowed in the clear zone.

See attached aerial map and tables of properties.

If these current uses are permitted on other properties in the clear zone, then they are compatible with the goals of promoting safety and regional economic development and therefore compatible under the Proposed Plan.

B. ECONOMIC BENEFIT OF THE PROPOSED PLAN:

MARB is a joint use airport with commercial, logistical and general aviation activity for corporate aircraft and is centered in one of the fastest growing distribution and logistics areas of the United States.

Facilities include Jet-A-Way Café, Pilot's Planning Room, Coffee Bar, Conference Room, Pilot's Theater Room, Luxury crew cars, Hertz Rent-a-Cars and Catering. MARB is also home to Amazon Air which according to an article in the Press-Enterprise on 7/28/2019, was approved for 5 cargo flights a day from MARB.

It is reasonable to believe that a parking lot adjacent to this logistics transportation hub would be highly contributory to the region's long-term economic development.

C. SAFETY CONCERNS:

The subject property is approximately 1,600 - 1700 feet from the end of the runway. There are many examples of parking lots and other significant commercial development within the same proximity to a military or commercial runway.

For example, at Joint Base Pearl Harbor Hickam (JBPHH) which shares runways and taxiways with the Daniel K. Inouye International Airport on the island of Oahu, Hawaii, there are multiple parking lots adjacent to the runways, some within 1,200 feet.

More locally at LAX, which has above ground and ground level parking lots, an In-N-Out Burger and other structures all within 1,670 feet of the runway. And Ontario airport which has several semi-trailer parking lots at the end of the runway all within 1,200 feet.

See attached diagrams.

It is reasonable to believe that a parking lot adjacent to MARB poses no greater risk to safety than the above cited airports.

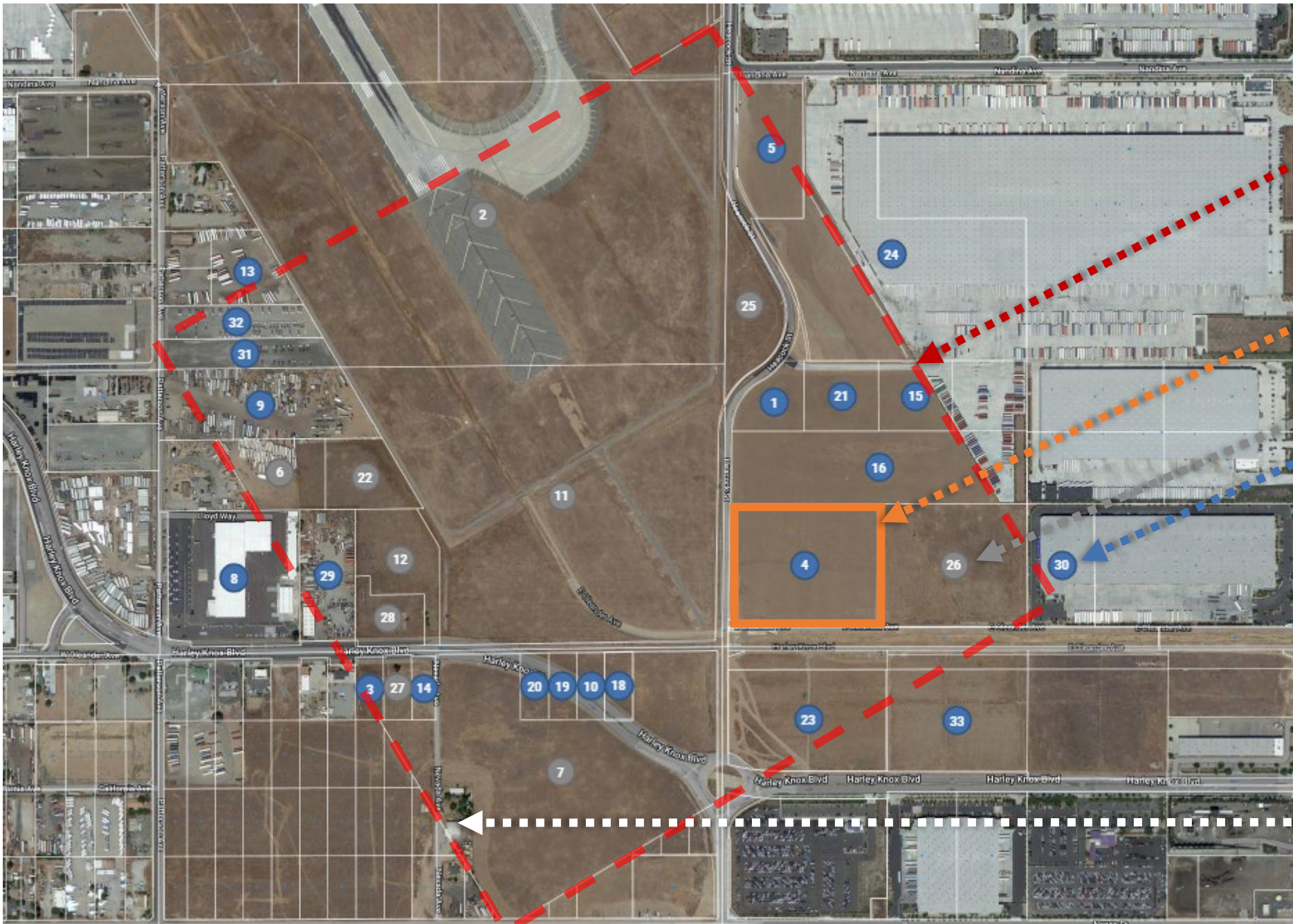
I appreciate the opportunity to present these findings and observations in support of the Proposed Plan.

For the reasons stated above, the City of Moreno Valley should not discriminate against the applicant and approve the proposed plot plan.

Sincerely,



Senior Vice President
Kennedy Wilson
CaDRE# 00912230



Clear Zone Boundary

Subject Lot

Govt Owned Parcel (gray)

Privately Owned Parcel (blue)

Double side trailer, barn, parking lot

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking

Map No	Activity In Clear Zone	PropertyID	APN	OwnerName	LandUse	LandUseType	Res.FullBaths	ParkingSqFt	Parking
7	Residents, barn, commercial	14798768	314-153-072	USA 314	RESIDENTIAL (NEC)		0	0	
8	Parking, structures	15807212	294-220-019	D HOWARD & HOWARD GIFT	LIGHT INDUSTRIAL		0	0	
9	Trailers, storage (hazard mat?)	16089936	294-220-010	DEAN DONALD	COMMERCIAL LOT		0	0	
13	Trailer parking	16994709	294-200-005	ROBERT & JOAN GIBEL	VACANT -RESIDENTIAL LAND		0	0	
29	Parking/Storage	14394411	294-220-013	MICHAEL & LISA PULCHEON	LIGHT INDUSTRIAL		0	0	
31	Truck parking	17131245	294-200-007	LAND MV	MOBILE HOME LOT	MM	2	400	CARPORT
32	Truck parking	18637712	294-200-006	LAND MV	COMMERCIAL LOT	G1	0	0	
1	Unknown	13598141	316-211-009	FIRST INDUSTRIAL	COMMERCIAL LOT	RA5	0	0	
3	Unknown	13910212	314-153-076	45 3RD AVE LLC	COMMERCIAL LOT	G1	0	0	
5	Unknown	14353343	316-211-007	JOSE & MARTHA PEREZ	VACANT -RESIDENTIAL LAND		0	0	
10	Harley Knox Bl	16125519	314-153-013	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
14	Unknown	17037266	314-153-077	HECTOR TELLO & MARICELA DEVALLADOLID	COMMERCIAL LOT	G1	0	0	
15	Unknown	17101096	316-211-011	FIRST INDUSTRIAL	INDUSTRIAL (NEC)	RA5	0	0	
16	Unknown	17527756	316-211-013	FIRST INDUSTRIAL	INDUSTRIAL (NEC)	RA5	0	0	
17	Harley Knox Bl	18125306	009-615-667	HAZEL HALSEY	RESIDENTIAL (NEC)		0	0	
18	Unknown	18353856	314-153-014	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
19	Harley Knox Bl	18681967	314-153-012	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
20	Harley Knox Bl	18869992	314-153-011	JUDY L HAUGHNEY CITY CLERK	RESIDENTIAL (NEC)		0	0	
21	Unknown	18904719	316-211-010	FIRST INDUSTRIAL	COMMERCIAL LOT	RA5	0	0	
23	Unknown	223518760	302-020-051	BOYD CARGILL & CAROLYN BRAZIL	LIGHT INDUSTRIAL		0	0	
24	Unknown	230555480	316-211-001	FIRST INDUSTRIAL	WAREHOUSE		0	0	
30	Unknown	14468537	316-211-019	FIRST INDUSTRIAL	WAREHOUSE	RA5	0	0	
33	Unknown	179887203	302-020-048	FR CA PROPERTY HOLDING LP	NURSERY/HORTICULTURE		0	0	
Subject									
4	None	14122276	316-211-014	LLC COMMERCE	AGRICULTURAL LAND	RA5	0	0	
Government									
2		13668590	294-200-002	NONE	VACANT -RESIDENTIAL LAND		0	0	
6		14531532	294-220-014	USA 294	VACANT -RESIDENTIAL LAND		0	0	
11		16514450	294-220-003	NONE	VACANT -RESIDENTIAL LAND		0	0	
12		16876439	294-220-006	USA 294	RESIDENTIAL (NEC)		0	0	
22		18908191	294-220-012	USA 294	VACANT -RESIDENTIAL LAND		0	0	
25		230555901	316-211-008	NONE	VACANT -RESIDENTIAL LAND		0	0	
26		230556115	316-211-015	USA 316	COMMERCIAL LOT		0	0	
27		14691664	314-153-009	USA 314	MOBILE HOME LOT		0	0	
28		15263046	294-220-007	USA 294	RECREATIONAL (NEC)		2	0	CARPORT

SEE NEXT PAGE

NO VISIBLE ACTIVITY PER AERIAL

Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking

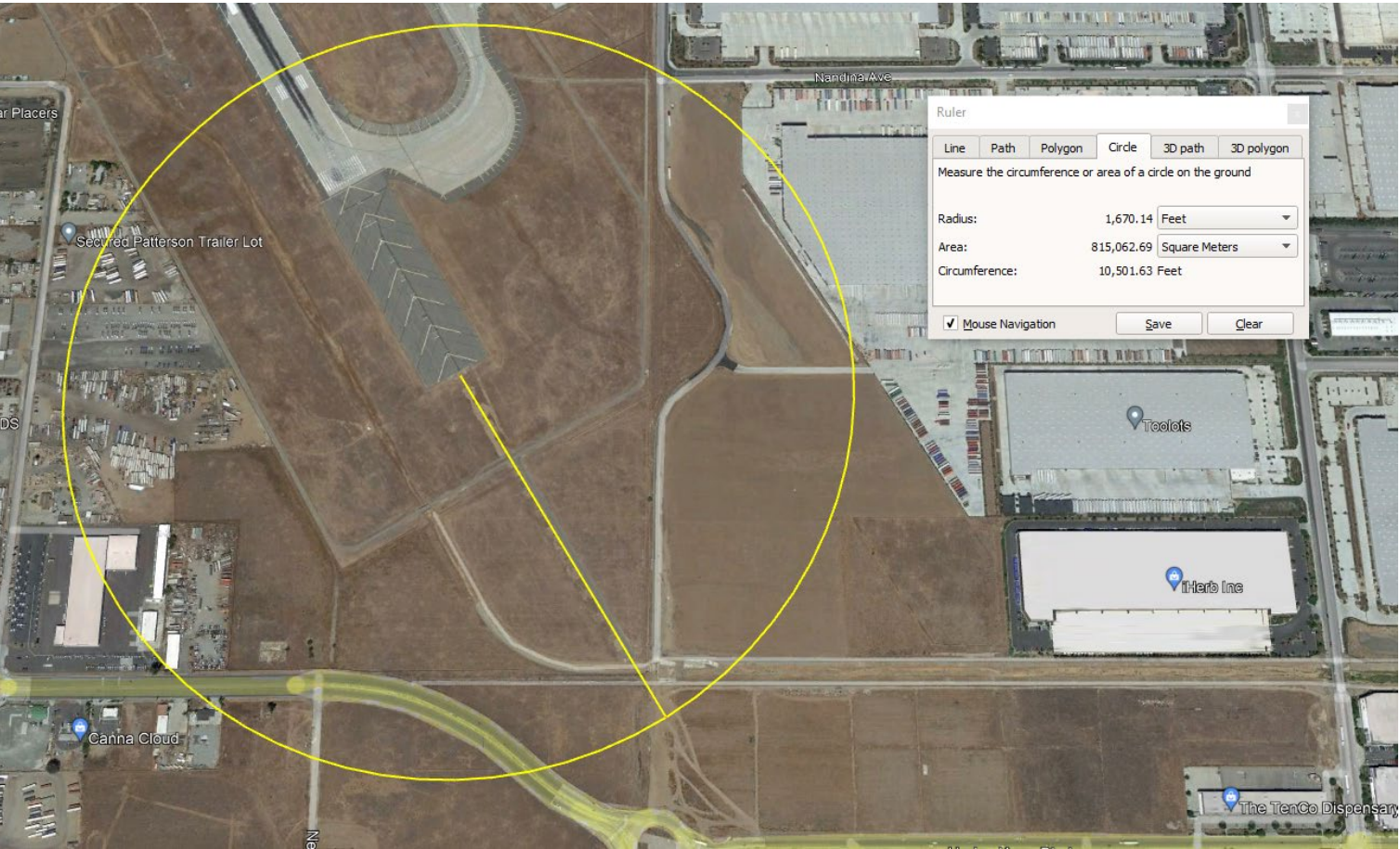
This page includes references to recorded docs for Clear Zone Easements and other aviation easements.

Click on this link to view recorded documents F.1.x
<https://kennedywilson.box.com/s/fbwj0hiouf1gdbegsqqv6hztemo2h2>

Map No	APN	Activity In Clear Zone (based on Google Map Aerial)	Easement Pertaining to airfield/aircraft/MRAB (other than CZ)	Recorded Easement(s) Doc. No. (CZ = Clear Zone Doc same as Subject)	Clear Zone Easement	Private or Govt?	Titled Owner	LandUseCode (per Title Co)	LandUseType	Res.FulIBaths	ParkingSqFt	ParkingDesc
4	316-211-014	SUBJECT – None		1984.209559 (CZ)	Yes		COMMERCE LLC	AGRICULTURAL LAND	RA5	0	0	
7	314-153-072	Residences	1) A portion of said land lies within clearance easement for the establishment, maintenance and use of an aircraft approach zone as disclosed by documents Recorded October 27, 1955 in Book 1813, Page 86, November 4, 1955 in Book 1816, Page 225, December 9, 1955 in Book 1831, Page 543 and May 7, 1956 in Book 1907, Page 440 all of Official Records of Riverside County, California. (Affects Parcel 2). 2) The terms, provisions and easement(s) contained in the document entitled "Grant of Easement-March Air Reserve Base" recorded May 15, 2013 as Instrument No. 2013-0230320 of Official Records. (Affects Parcel 2). 3. The terms, provisions and easement(s) contained in the document entitled "Grant of Easement-March Air Reserve Base" recorded June 12, 2017 as Instrument No. 2017-0233737 of Official Records. (Affects Parcel 2)	2013.0230320, 2017.0233737	None found	Private & Govt	Margarito Morales, a married man, as his sole and separate property as to Parcel 1; The United States of America, as to Parcel 2	RESIDENTIAL				
8	294-220-019	Parking, structures	N/A	None	None found	Private	Cynthia De. Howard, Trustee and Bradley D. Howard, Trustee	LIGHT INDUSTRIAL				
9	294-220-010	Trailers, storage, haz mat?	An easement for Runway Approach For Aircraft and incidental purposes, recorded 11/7/55 Book 1817, Page 115 and 9/11/56 Book 1969, Page 1	1985.106139 (CZ)	Yes	Private	Donald Durst, an unmarried man	COMMERCIAL LOT				
13	294-200-005	Trailer parking	1) An easement for aircraft approach zone and incidental purposes, recorded November 07, 1955 as Book 1817, Page 115 of official records. In Favor of: United States of America Affects: as described therein 2) An easement for aircraft approach zone and incidental purposes, recorded September 11, 1956 as Book 1969, Page 1 of Official Records. In Favor of: United States of America	None	None found	Private	ROBERT A. GIBEL AND JOAN K. GIBEL, TRUSTEES OF THE GIBEL FAMILY TRUST, DATED AUGUST 5, 2004	VACANT - RESIDENTIAL LAND				
29	294-220-013	Parking/Storage	Easement for aviation and incidental purposes, recorded October 31, 2005 as Instrument No. 2005-0903018 of Official Records. In Favor of: City of Perris, a municipal corporation of the state of california, and to the March inland Port Airport Authority its successors, assigns. See Note below.	2005.0903018, 1984.209558(CZ)	Yes	Private	MICHAEL & LISA PULCHEON	LIGHT INDUSTRIAL				
31	294-200-007	Truck parking	Easement for aviation easement and incidental purposes recorded as Book 1507, Page 529. 2. An easement for aviation easement and incidental purposes in the document recorded 11/7/55, Book 1730, Page 115. 3. An easement for aircraft approach zone and incidental purposes recorded 9/11/56, Book 1969, Page 1.	1985.106138 (CZ)	Yes	Private	MV LAND LLC	MOBILE HOME LOT	MM	2	400	CARPORT
32	294-200-006	Truck parking	Easement for aircraft approach easement and incidental purposes, recorded 11/7/55 as Instrument No. 70811 in Book 1817, Page 115 in favor of USA	1984.190270 (CZ)	Yes	Private	MV LAND LLC	COMMERCIAL LOT	G1			

Special attention for Doc. No. **2005.0903018** on APN 294-220-013, which is an Aviation Easement and release from owner (Grantor) to airfield and City of Perris who probably Grantor was seeking an approval of a development on its property.

MARB



Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking

HICKAM AFB
AND
DANIEL K INOUE INTL
AIRPORT
OAHU, HAWAII



Attachment: Comments Received (6119) : Plot Plan PEN21-0102 for an Automobile Parking



HICKAM AFB
AND
DANIEL K INOUYE INTL
AIRPORT
OAHU, HAWAII

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the circumference or area of a circle on the ground

Radius: 1,222.26 Feet

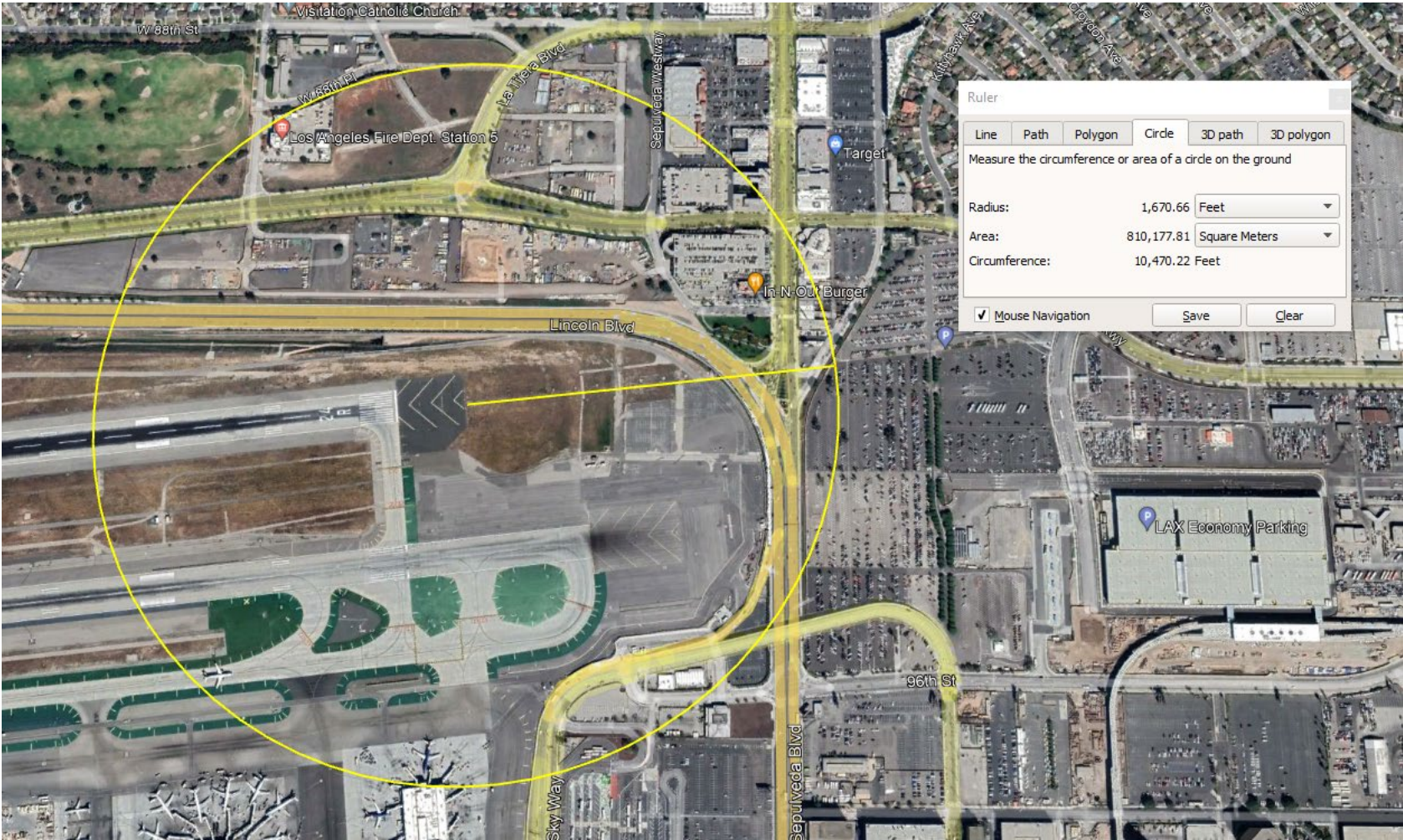
Area: 434,112.12 Square Meters

Circumference: 7,654.95 Feet

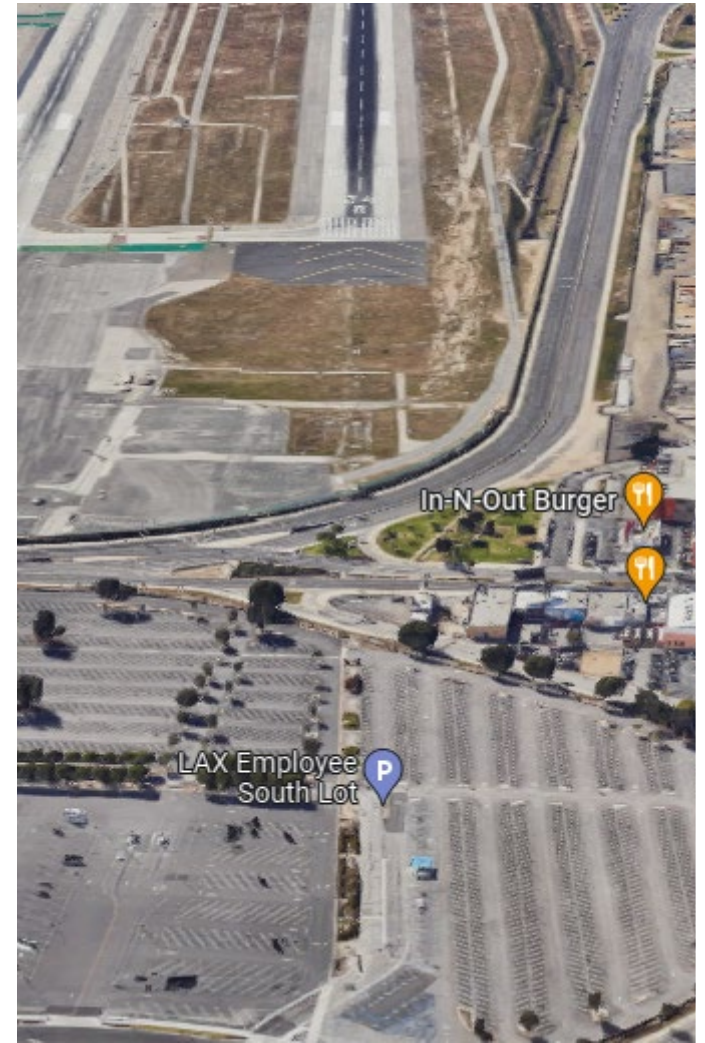
Mouse Navigation Save Clear



Attachment: Comments Received (6119 : Plot Plan PEN21-0102 for an Automobile Parking



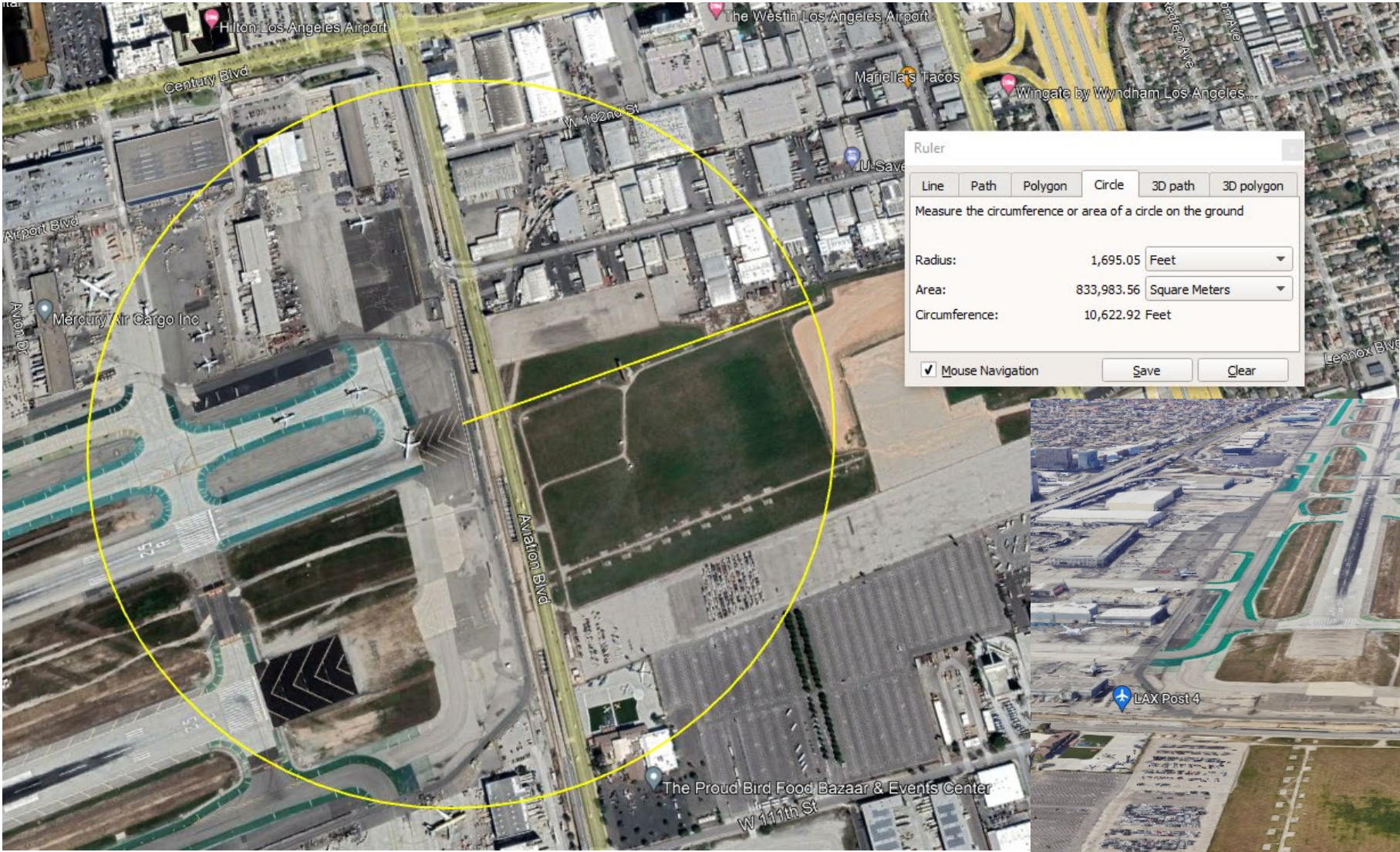
LAX



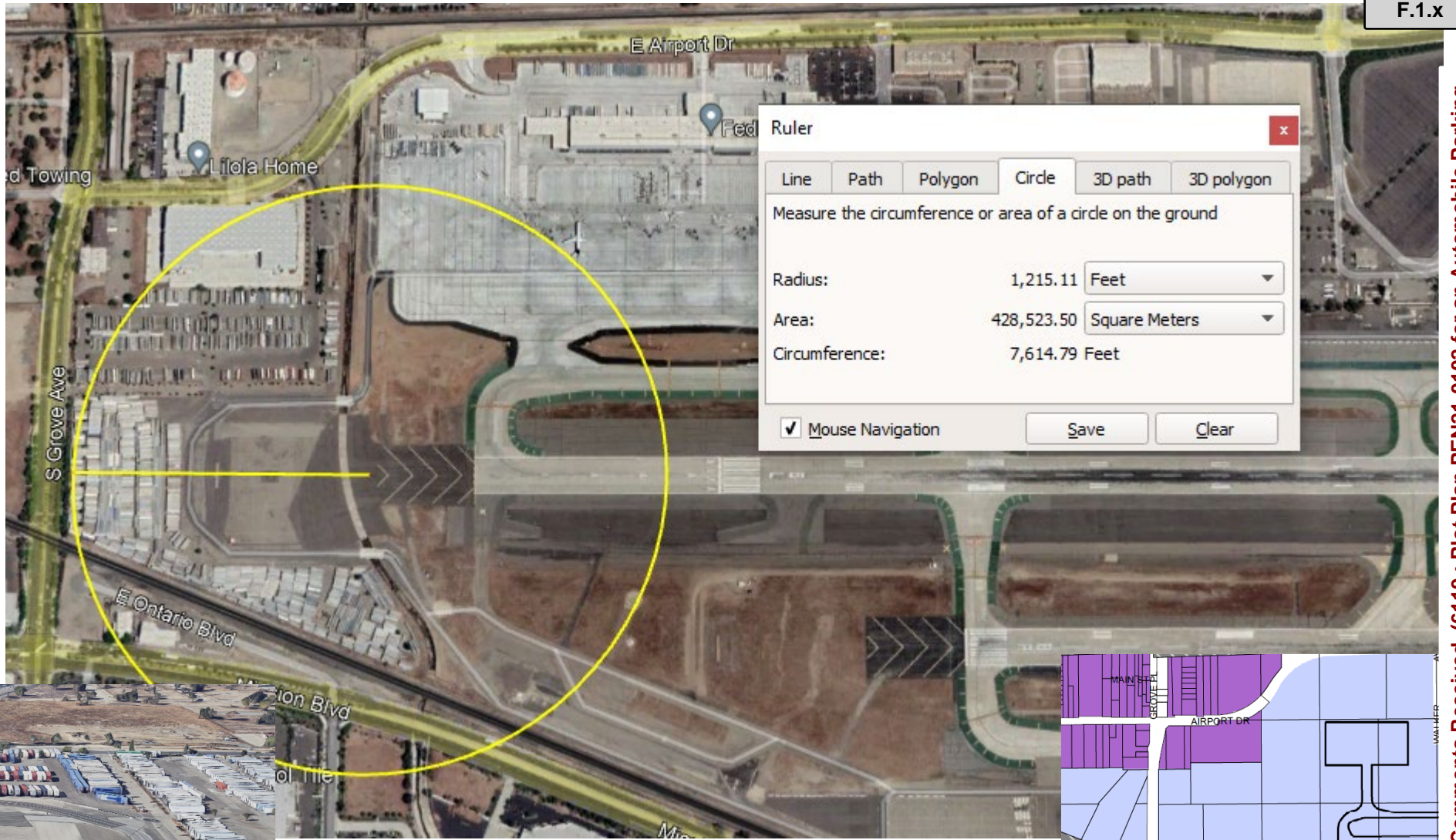
Attachment: Comments Received (6119) : Plot Plan PEN21-0102 for an Automobile Parking



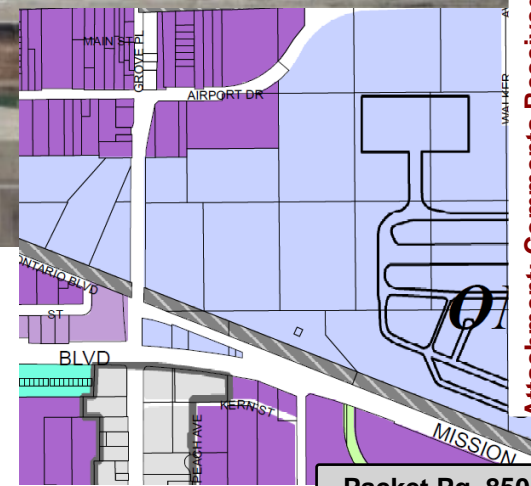
LAX

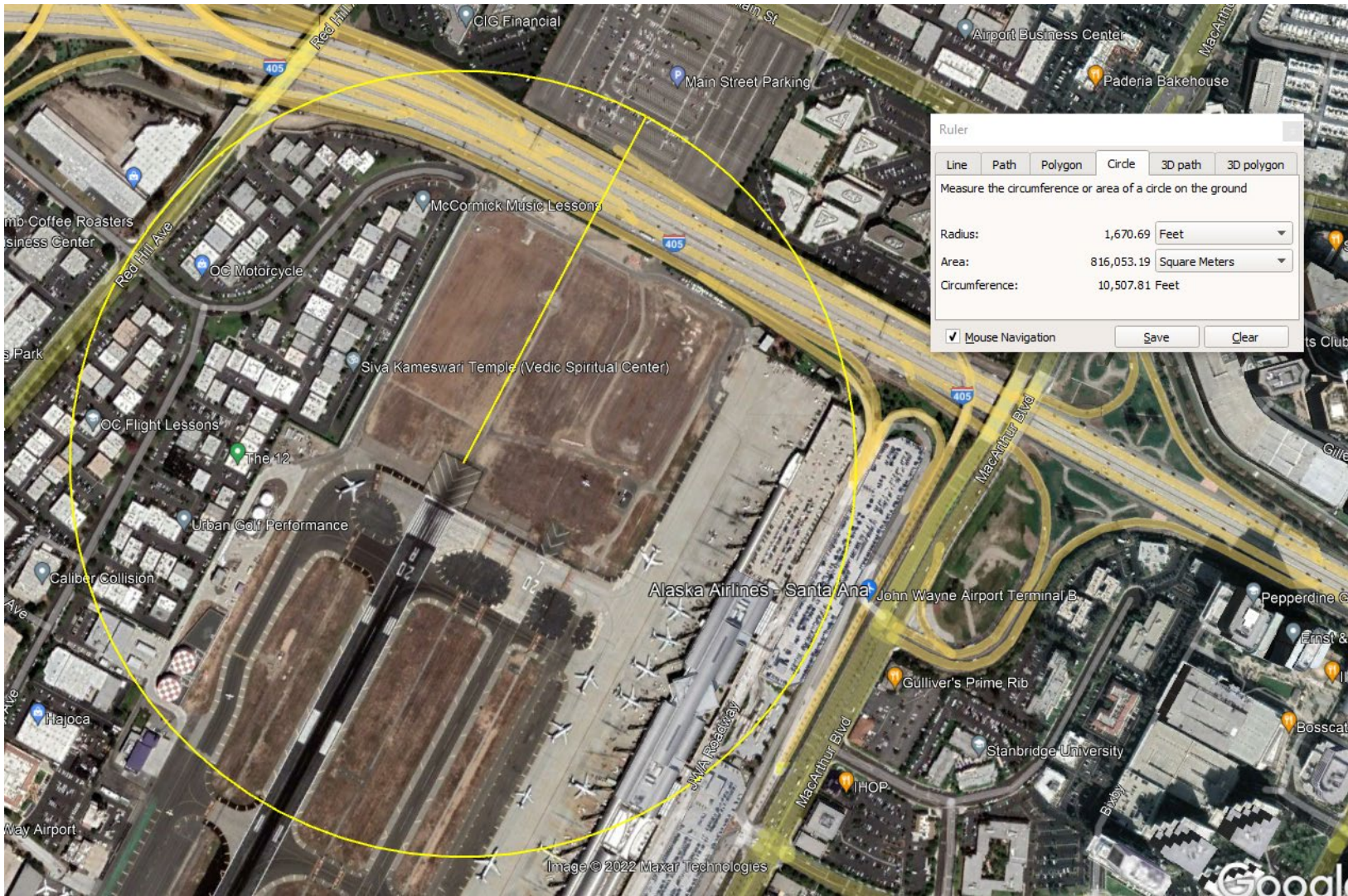


LAX

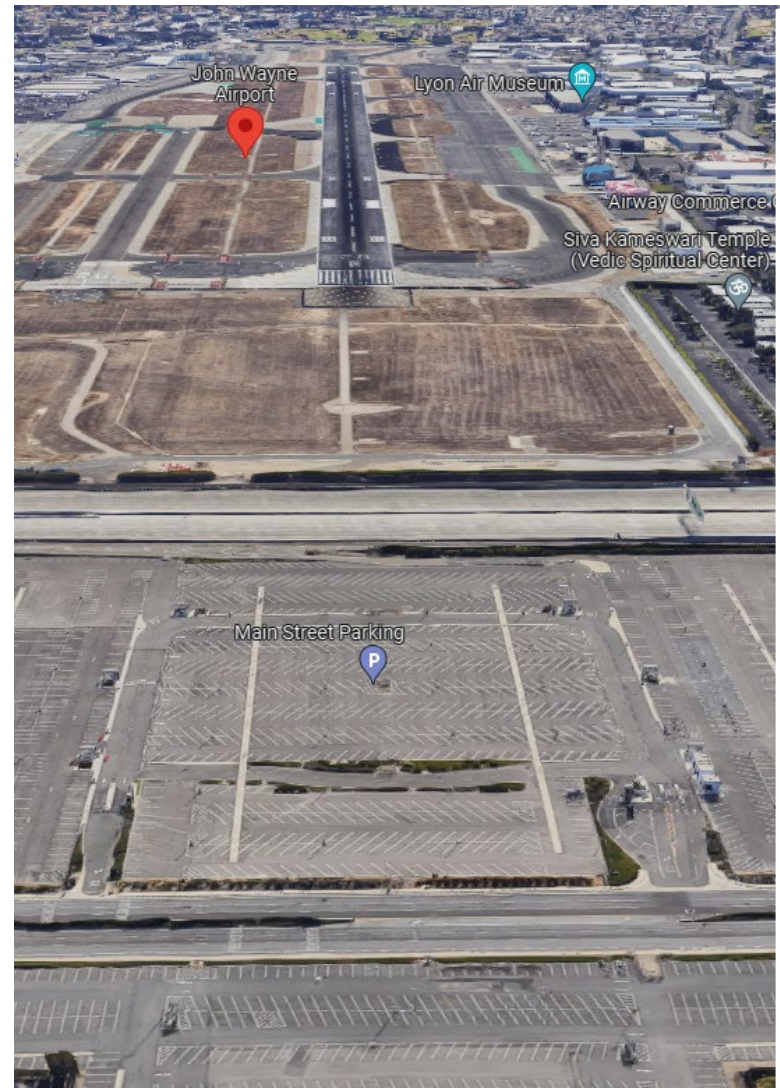


ONTARIO





JOHN WAYNE




Attachment: Comments Received (6119) : Plot Plan PEN21-0102 for an Automobile Parking



**Community Development Department
Planning Division**

MEMORANDUM

To: Honorable Chair DeJohnette and Members of the Planning Commission
From: Julia Descoteaux, Senior Planner 
Date: December 22, 2022
Subject: Public Hearing Item 1: PEN21-0102

Please see the attached comments received after Item No. F1 was published.

Attachment: Comments to PC at meeting with memo 12222022 (6119 : Plot Plan PEN21-0102 for an Automobile Parking Lot)



GREATER RIVERSIDE CHAMBERS OF COMMERCE

The Chamber...building a stronger local economy

December 20, 2022

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St
Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin:

On behalf of the Greater Riverside Chambers of Commerce and its Military Affairs Council, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are uncertain and concerned that March Air Reserve Base (MARB) has not been considered for coordination in the standard review process of the proposed project. This project remains unreviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in MARB. Persisting safety concerns remain with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of MARB.

In preservation of March Air Reserve Base and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your opposition of the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact the Chamber at 951-683-7100.

Respectfully,

Nicholas Adcock
President/CEO

cc: Members, City of Moreno Valley Planning Commission

NA/am

MARK TAKANO
41ST DISTRICT, CALIFORNIA

COMMITTEE ON
VETERANS AFFAIRS

COMMITTEE ON
SCIENCE, SPACE, AND
TECHNOLOGY

Congress of the United States
House of Representatives
Washington, DC 20515

DC OFFICE
1507 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2305
(202) 225-7018 – FAX

DISTRICT OFFICE
3403 10TH ST., STE 610
RIVERSIDE, CA 92501
(951) 222-0203
takano.house.gov

December 19, 2022

Chairperson Alvin DeJohette
Planning Commission
14177 Frederick St.
Moreno Valley, Ca 92552

RE: Resolution No. 2022-41 and Resolution No. 2022-42

Dear Chairperson DeJohette and Members of the Planning Commission:

I am writing to address the development of an automobile parking lot for Heacock Logistics on the Moreno Valley Industrial Area Plan on the east side of Heacock St and the north side of the Perris Valley Storm Drain. This proposed project is directly south of the March Air Reserve Base (MARB) runway and encroaches on the Clear Zone District.

On October 12, 2022, a letter from March JPA was sent to Moreno Valley Senior Planner Julia Descoteaux in which the March JPA indicated that current Clear Zone Easement held by the Department of Defense makes this project unsuitable for development. Furthermore, on October 21, 2022, a letter from Col. Aufderheide concurred with the March JPA's concerns and stressed that "due to the nature of military aviation operations, there is an increased risk of accidents within a Clear Zone, which justified the perpetual easement."

The Clear Zone Easement clearly states that the United States has acquired an interest in this property to prohibit all land uses except: a) agriculture; b) grazing; c) permanent open space; d) existing water areas; e) right-of-way for fenced two-lane highways without sidewalks or bicycle trails, and single tract railroads; and f) communications and utilities rights-of-way.

I share the concerns of the March Joint Powers Authority and Base Commander Col. Aufderheide and urge the Planning Commission to take these facts into consideration as they address and vote on Resolution No. 2022-41 and Resolution No. 2022-42 at the next Planning Commission meeting.

Sincerely,



Mark Takano
MEMBER OF CONGRESS

LEXUS OF RIVERSIDE

LEXUSOFRIVERSIDE.COM

Chair Alvin DeJohnette
City of Moreno Valley Planning Commission
14177 Frederick St Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin,

As voting member for the Military Affairs Council of Greater Riverside Chambers of Commerce, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are concerned that the project has not been reviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in March Air Reserve Base (MARB). There are safety concerns with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of March Air Reserve Base.

In preservation of MARB and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your consideration to oppose the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me directly at 951-354-4122.

Respectfully,

Elva Padilla
Business Development Manager

cc: Members, City of Moreno Valley Planning Commission

MICHAEL A. GOLDWARE

Mr. Alvin DeJohnette, Chairman
 City of Moreno Valley Planning Commission
 14177 Frederick St
 Moreno Valley, CA 92553

December 20, 2022

RE: Automobile Parking Lot – OPPOSITION

Dear Chairman DeJohnette:

I have lived in Riverside since 1954. I have been involved in many civic affairs both in Riverside and with a number of people from Moreno Valley (MoVal). Almost all of these 'joint' activities have been on behalf of or in association with something associated with March Air Force Base (MAFB) ... now March Air Reserve Base (MARB).

It is my understanding that MoVal is considering an automobile parking lot for the East side of Heacock just North of the Perris Valley Storm Drain. Please use your influence to put an end to this effort.

MAFB/MARB, depending upon the year, is responsible for a \$600-\$750,000,000 ... per year ... economic impact to and for the City of Riverside. I do not know what it is for MoVal.

Department of Defense (DoD) and the Department of the Air Force (DoAF) see themselves and their operations in an area, i.e., ours, as that of a guest. Neither they nor their operations will make any effort on lobbying MoVal nor the City of Riverside for or against local operations irrespective of benefits which might be obtained or burdens which can be avoided for their local entities, i.e., MARB. If the pressures gets strong enough such that they negatively impact operations, the decision will be made to 'move', i.e., close the base!.

While certain accommodations were made when MAFB had its status changed under BRAC (Base Realignment Commission rules), local communities, including MoVal, mobilized to protect MARB, if for no other reason than the devastating loss of economic impact to the region. Recent efforts have been successful to not only fight off continuing rounds of BRAC but to secure new funding for base infra-structure and to secure the assignment of the new C-46 to MARB. Why would MoVal take any effort or course to negate those successes?

Any activity by MoVal, such as the proposed parking lot, will materially and negatively impact the status of MARB. It will absolutely and negatively impact Riverside, and most assuredly MoVal.

Why hasn't the proposal been considered for coordination in the standard review process. It is my understanding that the project remains unreviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat ... forgetting any economic impact considerations ... to operations at MARB. Persisting safety concerns remain with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of MARB.

Thank you for your consideration.

Kindest regards,

Michael Goldware



 3880 Lemon St., Ste. 300
 Riverside, CA 92501
 P.O. Box 1529
 Riverside, CA 92502-1529
 951-241-7800
 www.eadiepaynellp.com

December 20, 2022

Chair Alvin DeJohnette
 City of Moreno Valley Planning Commission 14177
 Frederick St
 Moreno Valley, CA 92553

RE: Automobile Parking Lot – OPPOSITION

Dear Chair Alvin:

On behalf of the Greater Riverside Chambers of Commerce and its Military Affairs Council, representing over 1,200 local employers and 110,000 jobs in the Inland Southern California region, we respectfully OPPOSE the proposal for a trailer truck parking lot to be located on the East Side of Heacock Street north of the Perris Valley Storm Drain.

We are uncertain and concerned that March Air Reserve Base (MARB) has not been considered for coordination in the standard review process of the proposed project. This project remains unreviewed by the Airport Land Use Commission to determine and provide comments on the potential aerial safety threat to operations in MARB. Persisting safety concerns remain with the project's incompatibility with the Air Installations Compatible Use Zones (AICUZ) study that promotes the proactive and collaborative planning for compatible development to sustain the mission and the economic impact of MARB.

In preservation of March Air Reserve Base and its economic impact to the City of Riverside, City of Moreno Valley, and the City of Perris we ask for your opposition of the proposed Truck Trailer Parking Lot. The base contributes over \$500 million to the region annually and we advocate for its continued operations as an anchor for a strong local economy.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact the Chamber at 951-683-7100.

Respectfully,



Brandon Ferrell
 Partner, EadiePayne, LLP

cc: Members, City of Moreno Valley Planning

Commission NA/am



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager

AGENDA DATE: February 21, 2023

TITLE: PUBLIC HEARING FOR ONE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDING

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceeding for the National Pollutant Discharge Elimination System (NPDES) Residential Regulatory Rate to be applied to the property tax bill of the parcels identified herein (Hakan Buvan, located near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Circle);
2. Direct the City Clerk to open and count the returned NPDES ballot;
3. Verify and accept the results of the mail ballot proceeding as maintained by the City Clerk on the Official Tally Sheet and if approved, set the rate and impose the applicable NPDES Regulatory Rate on the Assessor's Parcel Numbers as mentioned;
4. Receive and file the Official Tally Sheet with the City Clerk's office.

SUMMARY

The action before the City Council is to conduct a Public Hearing for one National Pollutant Discharge Elimination System (NPDES) mail ballot proceeding. The process to accept two parcels into the City's NPDES funding program impacts only the property owner identified below, not the general citizens or taxpayers of the City.

DISCUSSION

The Clean Water Act of 1987 established requirements for the discharge of Urban Runoff from Municipal Separate Storm Sewer Systems under the NPDES program. The Santa Ana Regional Water Quality Control Board administers the NPDES program through the issuance of a Permit. The NPDES program requires public agencies to obtain coverage under the Permit to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. The City's current NPDES Permit requires all new development projects to comply with stormwater management requirements.

The City Council originally adopted the NPDES Residential Regulatory Rate on June 10, 2003. Each fiscal year, the City Council reviews and sets the rates for the following fiscal year.

As a condition of approval for the development project identified below, the applicant is required to provide an ongoing funding source for the NPDES program. The funding is used to mitigate the increase in costs to the NPDES program, which will be created by their development project.

Property Owner/ Project	Assessor's Parcel Numbers	Location	FY 2022/23 Maximum Rate ¹
Hakan Buvan TR 37462 PEN18-0080/SBP22-0016	478-090-030 478-090-031	Near the northeast corner of Moreno Beach Dr. and Cactus Ave., on Bradshaw Cir.	\$374.52/parcel Residential Rate
¹ The parcel's development status will be evaluated, and the applied rate calculated in accordance with the rate schedule, prior to levying the NPDES rate on the property tax roll each year. The applied rate is the amount applied to the property tax bill. It cannot exceed the maximum rate.			

An applicant has two options to satisfy the condition of approval:

1. The property owner approves the NPDES rate and authorizes the City to collect the rate on the annual Riverside County property tax bill through participation in a successful mail ballot proceeding; or
2. The applicant funds an endowment.

The Property Owner listed above elected to have the NPDES rate applied to the annual property tax bill of the property under development. Proposition 218 outlines the process to approve new charges, or an increase to existing charges, on property tax bills, which includes conducting a mail ballot proceeding, noticing requirements, timing of noticing, and providing an opportunity for the property owner to address the City Council (i.e., public comment portion of the Public Hearing). A notice describing the purpose and amount of the charge, including the potential annual inflationary adjustment, and a ballot for the property was mailed to the Property Owner at least 45-days in advance of tonight's meeting (see Attachment 1). The ballot is due to the City Clerk prior to the close

of the Public Hearing. The ballot can be opened and counted, and results announced, at the close of the Public Hearing.

The condition of approval to provide a funding source for the NPDES program will be satisfied with a property owner's approval of the NPDES mail ballot (i.e., marked yes and signed) and City Council acceptance of the results. In the event the ballot is not returned, is not approved, or is invalid (e.g., unmarked or unsigned), this condition of approval will remain unsatisfied and may delay development of the project.

This action meets the Strategic Plan Priorities to 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. Conduct the Public Hearing and upon its close, open, count, and verify the returned ballot and accept the results. *Staff recommends this alternative since it will satisfy the project's condition of approval provided the property owner approves the ballot.*
2. Open the Public Hearing and continue it to a future regularly scheduled City Council meeting. *Staff does not recommend this alternative because it will delay announcement of the ballot results and may delay project development.*
3. Do not conduct the Public Hearing. *Staff does not recommend this alternative since it will delay the condition of approval from being satisfied and may delay project development. The City will incur additional costs to restart the 45-day noticing period.*
4. Do not conduct the Public Hearing at this time but reschedule it to a date specific regularly scheduled City Council meeting. *Staff does not recommend this alternative because it may delay project development and will cause the City to incur additional costs to restart the 45-day noticing period.*

FISCAL IMPACT

Revenue received from the NPDES rate is restricted and can only be used within the stormwater management program. The revenue provides funding to maintain compliance with the unfunded requirements of the Permit. It also offsets stormwater management program expenses, which reduces the financial impact to the General Fund. The NPDES rate is only applied to the property tax bills of parcels where approval of the rate has been authorized through a successful mail ballot proceeding.

The FY 2022/23 maximum Residential Rate is \$374.52 per parcel, and any division thereof. The maximum NPDES rates are subject to an annual inflationary adjustment. However, the annual adjustment cannot be applied unless the City Council annually authorizes such adjustment. The increase to the maximum rate cannot exceed the annual inflationary adjustment without approval of the property owners subject to the charge. The NPDES rate applied to the property tax bill will be based on the development status of the property at the time the applied rates are calculated for the upcoming fiscal year.

NOTIFICATION

The ballot documents were mailed to the Property Owner at least 45-days in advance of the Public Hearing. The documents included a notice, NPDES ballot, map of the project area, instructions for marking and returning the ballot, and a postage-paid return envelope addressed to the City Clerk.

The Press-Enterprise published the legal notice for tonight's Public Hearing on February 2, 2023 and February 9, 2023.

PREPARATION OF STAFF REPORT

Prepared By:
Kimberly Ganimian
Special Districts Division Manager

Department Head Approval:
Brian Mohan
Assistant City Manager/CFO/City Treasurer

Concurred By:
Melissa Walker
Acting Public Works Director/City Engineer

CITY COUNCIL GOALS

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

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

- 1. Ballot Documents - Hakan Buvan

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:47 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:49 AM

**OFFICIAL MAIL BALLOT
for Assessor's Parcel Numbers (APNs)
478-090-030 and 478-090-031
National Pollutant Discharge Elimination System (NPDES)
Residential Regulatory Rate**

YES* — as property owner of the APNs listed above, **I approve** the NPDES Maximum Residential Regulatory Rate and services. For fiscal year (FY) 2022/23, the NPDES Maximum Residential Regulatory Rate is \$374.52 per parcel, a combined total of \$749.04 for the APNs. This calculation is based on the current parcel configuration; the actual annual amount annual levied will be determined at the time the levy is calculated. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the annual Riverside County property tax bill or included as a monthly charge on a utility bill. Beginning FY 2023/24, the maximum regulatory rate will be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Long Beach-Anaheim Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City shall provide the necessary services for the continuous operation, enhancement, and maintenance of the storm water discharge system, and perform inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements.

NO** — as property owner of the APNs listed above, **I do not approve** the NPDES Maximum Residential Regulatory Rate and services. I understand that not approving the NPDES Maximum Residential Regulatory Rate to fund state and federally mandated NPDES Permit requirements will not satisfy the project's Conditions of Approval. The NPDES Maximum Residential Regulatory Rate will not be levied on the annual Riverside County property tax bill.

YES*	NO**	Weighted Ballot Count*	Fiscal Year 2022/23 NPDES Maximum Residential Regulatory Rate per Parcel
<input type="checkbox"/>	<input type="checkbox"/>	2	\$374.52

Each Assessor's Parcel Number equals 1 Weighted Ballot.

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT I AM THE RECORD OWNER OF THE PARCEL(S) IDENTIFIED ON THIS BALLOT OR AM AUTHORIZED TO SUBMIT A BALLOT ON BEHALF OF THE RECORD OWNER.

SIGNATURE OF PROPERTY OWNER

PRINTED NAME

DATE

Please remember to mark the appropriate box, sign and date the ballot, and return to the City Clerk's office in the enclosed envelope. This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the public testimony portion of the Public Hearing. The Public Hearing will be held at 6:00 p.m., or as soon thereafter as the matter may be called, on February 21, 2023, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California.

Ballot(s) deemed invalid or incomplete will be discarded and a new process must be initiated in order to place the charge on the annual Riverside County property tax bill, which includes payment of the mail ballot fee. For administrative convenience, all parcels for your project have been combined on one ballot. If you prefer to have a separate ballot for each APN please call 951.413.3470 to request separate ballots.

Tel: 951.413.3480
 Fax: 951.413.3170
 www.moval.org



14177 FREDERICK STREET
 P. O. BOX 88005
 MORENO VALLEY, CA 92552-0805

January 5, 2023

Hakan Buvan
 7 E Entrada
 Irvine, CA 92620
 ATTN: Hasna Hurmali

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM RESIDENTIAL REGULATORY RATE FOR APNs 478-090-030 and 478-090-031

***** OFFICIAL BALLOT ENCLOSED *****

Introduction

In November of 1996, California voters passed Proposition 218 (“The Right to Vote on Taxes Act”). As a result, any new or proposed increase in a property-related charge requires approval by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of the APN(s) listed above the opportunity to express support for or opposition to the approval of the NPDES Maximum Residential Regulatory Rate and services. Approval of the NPDES Maximum Residential Regulatory Rate through a mail ballot proceeding fulfills the Land Development Division’s Condition of Approval to provide a funding source for the NPDES financial program.

Background

The Clean Water Act of 1987 established requirements for the discharge of Urban Runoff from Municipal Separate Storm Sewer Systems under the NPDES Program. The NPDES Program is administered by the Santa Ana Regional Water Quality Control Board through the issuance of a Permit. The City’s current NPDES Permit mandates all new development projects comply with storm water management activities. The NPDES Program requires public agencies to obtain coverage under the Permit to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels.

Services Provided

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall provide the necessary services for the continuous operation, enhancement, and maintenance of the storm water discharge system, and perform inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements.

How is the Amount of the Charge Determined?

Each fiscal year (FY), the City of Moreno Valley determines the type of services necessary to comply with NPDES Permit requirements and levies the rate applicable for that service, not to exceed the rate previously approved by the property owner.

Notice of Mail Ballot Proceeding for Hakan Buvan
January 5, 2023

Proposed Charge

For FY 2022/2023, the NPDES Maximum Residential Regulatory Rate is \$374.52 per parcel. The total amount of the NPDES rates levied for FY 2022/23 was \$764,174 for the program as a whole.

Annual Adjustment

Beginning in FY2023/2024, the NPDES Maximum Residential Regulatory Rate will be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Long Beach-Anaheim Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Residential Regulatory Rate, the annual levy amount will be assessed to the APN(s) listed above (and any division thereof) and shall be placed on the Riverside County property tax bill or included as a monthly charge on a utility bill. The NPDES Maximum Residential Regulatory Rate will be levied each following year at the proposed rate, which includes an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding, the City has scheduled a Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Hearing

Tuesday, February 21, 2023

6:00 p.m.

(Or As Soon Thereafter As The Matter May Be Called)

Tabulation of the returned ballot will commence after the close of the public testimony portion of the Public Hearing. Any ballot received shall be tabulated under the direction of the City Clerk in compliance with the City's Policy for Conducting Mail Ballot Proceedings Policy #1.11.

Effect if the Charge is Approved

Approval of the NPDES Maximum Residential Regulatory Rate will be confirmed if the ballot is marked in favor (marked Yes) of the NPDES rate. Approving the NPDES Maximum Residential Regulatory Rate through a mail ballot proceeding will fulfill the Land Development Division's Condition of Approval to provide an ongoing funding source for the NPDES financial program.

Effect if the Charge is Not Approved

Not approving the NPDES Maximum Residential Regulatory Rate to meet state and federally mandated NPDES Permit requirements **will not** satisfy the Land Development Division's Condition of Approval to provide a funding source for the NPDES financial program. If the returned ballot is marked "No", the NPDES rate will not be levied on the property tax bill.

Effect if the Ballot is Deemed Invalid or Incomplete

Not marking the corresponding box on the ballot in support of or opposition to the proposed program and annual rate and/or not signing the ballot will result in an invalid ballot. In order to

Notice of Mail Ballot Proceeding for Hakan Buvan
January 5, 2023

satisfy the Land Development Division's Condition of Approval by placement of the NPDES rate on the annual property tax bill, the mail ballot proceeding and 45-day noticing period will need to start over. Reinitiating the process will require payment of the mail ballot proceeding fee.

For More Information

If you have any questions about the mail ballot proceeding process, please contact Isa Rojas, Management Analyst, with the City's Special Districts Division at 951.413.3470 or via email at IsaRo@moval.org or SDAdmin@moval.org during the City's business hours.

Questions regarding the NPDES financial program, the annual rate, or the Land Development Division's Conditions of Approval should be directed to the Land Development Division at 951.413.3120 or via email at landdevelopment@moval.org during the City's business hours.

The City's business hours are Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 7:30 a.m. to 4:30 p.m.

Completing Your Ballot

Please follow the instructions below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballot are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed program and annual rate **by placing a mark in the corresponding box**. Ballots received without a designated vote will be considered invalid.
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted*.
3. Mail or personally deliver your completed ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the public testimony portion of the Public Hearing scheduled for **February 21, 2023**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:00 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

- A check mark substantially inside a box;
- An X mark substantially inside a box;
- A dot or oval mark substantially inside a box;
- A completely shaded or filled mark substantially inside a box;

Notice of Mail Ballot Proceeding for Hakan Buvan
January 5, 2023



A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box and/or associated clause; or



A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

Hakan Buvan TR 37462 PEN18-0080

APN

 478090030

 478090031

 Roads

 Parcels

 City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of January 4, 2023.



0 100 200
 Feet

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recycled or resold. Imagery Credit: Nearmap





Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager
Jeremy Bubnick, Parks & Community Services Director

AGENDA DATE: February 21, 2023

TITLE: ART MURAL PROGRAM DISCUSSION

RECOMMENDED ACTION

Recommendations:

1. Council to authorize the Assistant City Manager & Parks & Community Services Director to work with the Arts Commission to develop a Public Art Policy. The policy will reflect the mission of the Arts Commission and will include guidelines regarding submittal process, selection criteria, installation, deinstallation, insurance, agreements, community engagement, and fiscal analysis.
2. Provide any other direction as authorized by Council.

SUMMARY

On November 1, 2022 and December 6, 2022, Council approved the first and second reading of Ordinance 992, which created a Public Art Impact Fee. This fee will become effective sixty (60) days after the second reading, which will be February 6, 2023.

PCS Staff is working closely with the Art Commission to develop a Public Art Policy. The Public Art Policy will include policies and procedures for commissioning and displaying public art throughout the city (sculptures, murals, fountains, displays, etc.) The policy will reflect the mission of the Arts Commission and will include guidelines regarding submittal process, selection criteria, installation, deinstallation, insurance, agreements, community engagement, and fiscal analysis.

The goal is to present a recommended policy to City Council prior to the summer recess.

At the January 3, 2023 City Council meeting, Mayor Cabrera asked for this item to be agendaized.

DISCUSSION

Council to provide direction, vision and scope of a new Art Mural Program prior to engaging the Art Commission to create and finalize the program for Council's approval at a future meeting.

FISCAL IMPACT

The is no fiscal impact with this action.

NOTIFICATION

Publication of the Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Name: Brian Mohan
Title: Assistant City Manager/CFO/Treasurer

Department Head Approval:
Name: Brian Mohan
Title: Assistant City Manager/CFO/Treasurer

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.

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



To view large attachments, please click your “bookmarks” on the left hand side of this document for the necessary attachment.

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	1/06/23 9:47 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	1/06/23 10:01 AM



Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, CMC, City Clerk

AGENDA DATE: February 21, 2023

TITLE: REVIEW OF OPTIONS REGARDING PROCEDURES FOR SELECTING THE MAYOR PRO TEM

RECOMMENDED ACTION

1. Provide direction regarding whether the Mayor Pro Tem selection process should be revised based on the one of the options described in this Staff Report.

SUMMARY/DISCUSSION

Mayor Cabrera requested that the City Clerk's Office prepare a Staff Report that identifies or describes various ways that the Mayor Pro Tem be selected. Since there are no State laws that govern the selection of the Mayor Pro Tem for either General Law Cities and Charter Cities, cities throughout California have adopted a variety of procedures for selecting their Mayor Pro Tems. Some cities incidentally refer to their Mayor Pro Tems as "Vice Mayors."

CURRENT PROCESS OF SELECTION OF MAYOR PRO TEM

The current practice of selecting the Mayor Pro Tem is set forth in Section 4.1 (Selection of the Mayor Pro Tem) of the Rules of Procedure for Council Meetings and Related Functions and Activities ("Rules of Procedure"), attached hereto.

In summary, Section 4.1 provides that the Mayor Pro Tem is selected on an annual basis at the first Regular City Council Meeting in December, or as soon as reasonably feasible following the certification of the results of any election of candidates for City Council.

Nominations for the office Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective. Appointment, however, requires approval by three or more affirmative votes. If none of the nominees receive at least three votes and there is no tie amongst any of the nominees, the process must be

repeated that will allow Council Members to make new nominations or retain their nominations, and another vote must be called on each nominee. However, if there is a tie amongst the nominees, these nominees shall be the only ones the City Council may vote for during a subsequent vote for Mayor Pro Tem. If upon repeating the process, no nominee has received at least three votes, the City Council may either repeat the process until a Mayor Pro Tem is selected, or the City Council may continue the selection of the Mayor Pro Tem to the next regular meeting of the City Council.

Pursuant to Section 4.1, the Mayor Pro Tem serves for a one year period or until a successor is selected. Section 4.1 further provides that the City Clerk shall conduct the swearing in of the Mayor Pro Tem, and each Council Member shall have an opportunity for brief comments. It should be noted that if the swearing in of the Mayor Pro Tem is deemed a “ceremonial meeting,” no other business shall be conducted at the meeting.

The provision regarding written ballots is not valid as it is no longer permitted by the Brown Act.

OPTIONS FOR SELECTING A MAYOR PRO TEM

Again, since there are no State laws governing the selection of Mayor Pro Tem, cities have come up with a variety of ways for selecting their Mayor Pro Tem. By far the most common selection is a council election. In other words, instead of being directly elected by voters in the same way a mayor or councilman is, the Mayor Pro Tem are often chosen by their fellow council members. This is typically done on an annual basis. Of course, since many cities (like Moreno Valley) did not adopt their Mayor Pro Tem selection process by ordinance, it is difficult to be certain on which cities or how many cities adhere to any certain type of selection process.

Notwithstanding the above, here are some options for the City Council to consider:

1. Nomination By Council Members

Each Council Member nominates at an open City Council meeting, and the City Council votes on each nomination.

- If there is a tie, then a “runoff” is held and the one who receives the most votes, which must be at least three affirmative votes, is appointed as Mayor Pro Tem.

2. Nomination By Mayor

Mayor nominates a Council Member to serve as Mayor Pro Tem, subject to approval of a majority of the total membership of the City Council.

- If the Mayor’s nominee does not receive approval of a majority of the total membership of the City Council, then the Mayor nominates someone else,

and another vote is taken until one of the Mayor's nominees receives three affirmative votes.

3. Seniority

The Council Member who has been on the City Council for the longest continuous period of time is automatically appointed as Mayor Pro Tem.

4. Second Place Selection

The nominee who receives the second highest number of votes from the City Council serves as Mayor Pro Tem for the following year.

- If there is a tie, then a "runoff" is held and the one who receives the most votes, which must be at least three affirmative votes, is appointed as Mayor Pro Tem for the following year.

5. Equal Opportunity

The Council Member who has not served as Mayor Pro Tem for the longest continuous period of time is automatically appointed as Mayor Pro Tem.

6. Percentage of Votes

The Council Member who has received the largest percentage of their District's popular vote is automatically appointed as Mayor Pro Tem.

7. Random

The Council Member who draws the longest straw is automatically appointed as Mayor Pro Tem.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action

NOTIFICATION

Publication of the Agenda

PREPARATION OF STAFF REPORT

Prepared By:
Jane Halstead
City Clerk

CITY COUNCIL GOALS

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

ATTACHMENTS

Rules of Procedure for Council Meetings and Relate Functions and Activities (Section 4.1)

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

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

- 1. SECTION 4.1 - Rules of Procedure for Council Meetings

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 11:41 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 11:48 AM

Rules of Procedure for Council Meetings and Related Functions and Activities

4.1 SELECTION OF THE MAYOR PRO TEM

4.1.1. ANNUAL SELECTION.

The City Council shall meet annually at its first regular meeting in December (or as soon as reasonably feasible following the certification of election results by the Election Official) to choose one of its number as Mayor Pro Tem. The Mayor Pro Tem shall be installed, sworn and shall assume the office at that City Council meeting.

4.1.2. CITY CLERK PRESIDES.

The City Clerk shall conduct the swearing in of the Mayor Pro Tem. Each Council member shall have an opportunity for brief comments. No other business shall be conducted at the meeting if it is called as a ceremonial meeting.

4.1.3. SELECTION PROCESS.

Nominations for the office Mayor Pro Tem may be made by any member of the City Council and need not be seconded in order to be effective. Appointment shall be by three or more affirmative votes. In the event that no person receives three or more votes in the selection process, the selection process shall be repeated immediately; provided, however, that the two persons receiving the highest number of votes in the preceding selection process shall be the only nominees. If, upon repeating the selection process Mayor Pro Tem, no person has yet received three affirmative votes for such office, the City Council may either repeat the selection process until the officer has been duly selected or may continue the selection to the next regular meeting of the City Council.

4.1.4. WRITTEN BALLOT.

Voting in the selection of Mayor Pro Tem shall be by written ballot unless the City Council, by three or more affirmative votes, determines to conduct the selection process by roll call vote. If conducted by written ballot, the vote of each Council member shall remain undisclosed until all votes have been cast and have been lodged with the City Clerk. The City Clerk shall then read aloud into the minutes of the City Council the identity of the voting Council member and the name of the person for whom such person is voting. The written ballots shall be public documents and shall be retained in the records of the City Council. The Standard Code of Parliamentary Procedure, fourth edition, as revised or approved from time to time by the American Institute of Parliamentarians, shall apply to resolve any question of procedure arising during the selection process, which is not governed by this Section.

4.1.5. TERM OF OFFICE.

Except as provided in this Section, the Mayor Pro Tem selected pursuant hereto shall serve for one year or until the next meeting scheduled for selection of Mayor Pro Tem pursuant to this Section, and thereafter if necessary until the successor has been duly selected.



Report to City Council

TO: Mayor and City Council

FROM: Steve Quintanilla, Interim City Attorney

AGENDA DATE: February 21, 2023

TITLE: SENATE BILL NO. 1439 - CONFLICTS OF INTERESTS RELATED TO CAMPAIGN CONTRIBUTIONS

RECOMMENDED ACTION

Recommendation:

1. That the City Council receive and file this report.

SUMMARY

Mayor Cabrera requested that staff prepare a summary of the new law regarding how campaign contributions can now create technical conflicts of interest for Council Members. This new law may require some Council Members to recuse themselves under certain circumstances from participating in any decision-making activities related to the source (donor) of a campaign contribution to the Council Member. Incidentally, the rule contained in Senate Bill No. 1439 (“SB 1439”) is essentially the same rule that applied only to appointed officials, such as Planning Commissioners. SB 1439 basically extends the rule to elected officials, along with some other changes.

DISCUSSION

SB 1439, which took effect January 1, 2023, defines a new conflict of interest rule involving campaign contributions of more than \$250 to Council Members. The new law also establishes new disclosure, recusal, and abstention requirements related to conflicts of interests based on campaign contributions.

Even though SB 1439 took effect on January 1, 2023, the Fair Political Practices Commission (“FPPC”) has determined that SB 1439 only applies prospectively after the law’s effective date. In other words, **any campaign contributions received during 2022 are exempt under the conflict of interest analysis set forth in SB 1439.**

In summary, SB 1439 provides that a campaign contribution of more than \$250 to a Council Member, can now create a conflict of interest for a Council Member. Council Members who have willfully and knowingly accepted, solicited, or directed a contribution of more than \$250 from a party, participant, or their agent, within 12 months before a proceeding involving the subject donor's prospective contract, license, permit, or use entitlement must disclose the contribution on the record and recuse themselves before the proceeding, unless the violation was properly cured, as described below.

If a Council Member received a "disqualifying" \$250-plus donation 12 months prior to a final decision in a proceeding affecting the donor, but returned the donation within 30 days from the time he or she knew or should have known about the contribution, the Council Member would not be disqualified from decision making activities affecting the subject donor – PROVIDED the Council Member also did not know about the proceeding involving the subject donor's prospective license, permit or other use entitlement. This means that once a Council Member sees the donor's item on an agenda, the Council Member cannot resort to curing the situation as set forth above; in such a case, the Council Member would be disqualified.

SB 1439 further provides that Council Members shall not accept, solicit, or direct a contribution of more than \$250 from any party, participant, or their agent, if the Council Member knows or has reason to know that the donor has a financial interest in a decision while the proceeding is pending and for 12 months after the final decision is rendered. However, if the prohibited contribution was unwillingly or unknowingly received during the 12 months after the final decision, the subject Council Member may cure the "violation" by returning the amount that exceeds \$250 within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.

It is critical to note that SB 1439 applies not only to actual donors (which include parties and their agents), but also to "participants" which could include "non-parties" who actively support or oppose a particular decision and who have a financial interest in the decision. One example may include a close neighbor to a property that is the subject of a land use decision, which under SB 1439 would be considered a "participant" even if the neighbor's property is not the subject of the decision. It could also include an owner of a business who opposes the approval of a prospective neighboring business over concerns regarding increased competition. In either case, a Council Member would be precluded from accepting or soliciting a contribution of more than \$250 from the neighboring resident or neighboring business owner.

In conclusion, SB 1439 now means that Council Members must pay careful attention to their donors of more than \$250 and their potential involvement in proceedings affecting such donors, their agents and other participants such as the neighboring resident or neighboring business owner. In light of the prohibitions of SB 1439, Council Members may want to consider "self-limiting" contributions they accept from contributors who typically have business before the City to \$250 or less, so that they will not be in violation of SB 1439.

CAMPAIGN CONTRIBUTION LIMITATIONS

Since the City does not have any local restrictions on campaign contributions, it must comply with the state law's limitations on campaign contributions, which currently provides that a candidate shall not accept from a person, a contribution totaling more than \$5,500 per election, which is the current amount for 2023.

This amount is subject to adjustment by the Fair Political Practices Commission pursuant to Government Code Section 83124.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Publication of the Agenda

PREPARATION OF STAFF REPORT

Prepared By:
Steven B. Quintanilla
Interim City Attorney

CITY COUNCIL GOALS

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

CITY COUNCIL STRATEGIC PRIORITIES

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

ATTACHMENTS

To view large attachments, please click your “bookmarks”  on the left hand side of this document for the necessary attachment.

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/15/23 8:02 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/15/23 9:22 AM